REPORT

OF THE ADVISORY COMMITTEE ON OFFICIAL LANGUAGES OF NEW BRUNSWICK

FREDERICTON, N.B.
FEBRUARY 1986

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Fredericton, N.B.

The Honourable Richard Hatfield
Premier of New Brunswick
Fredericton, N. B.

Dear Premier Hatfield:

The Provincial Advisory Committee on Official Languages takes pleasure in submitting its Report to you. The Committee was established to consult and confer with the people of the province concerning their views and opinions on the use of the two official languages in New Brunswick and the equality of the two linguistic communities; accordingly, the Committee presents to you a summary of those consultations together with the conclusions arrived at by the members of the Committee.

We must thank you for the confidence which you have shown in the Committee and we hope sincerely that this Report will assist in strengthening the ties between the citizens of the two official linguistic groups in our province.

Yours respectfully,

Lloyd B. Smith,
Co-Chairperson

Irène Grant-Guérette,
Co-Chairperson

Georges Cyr, Member

Nancy Duncau, Member

Euclide Daigle, Member

Margaret Larlee, Member*

G. Forbes Elliot, Member

Duncan McGeachy, Member

* A member of the Committee until her appointment to the Bench on November 7th, 1985.

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GLOSSARY

BILINGUAL, fluently — qualification of a person who writes and speaks two languages with very little or no difficulty whatsoever.

BILINGUAL, functionally — qualification of a person who has a certain knowledge of a second language and is able to function reasonably well in that second language.

BILINGUAL, passively — qualification of a person who has the ability to understand a second language but is unable to answer effectively in that language.

BILINGUAL, team capacity — recognized competence of a team to deliver services effectively in two languages.

EDUCATION (SECOND LANGUAGE)

Core curriculum — a common base of compulsory subjects taught during the school process including a second language program.

Extended core — extending the process of learning a second language by teaching at least one other subject in that language.

Early immersion — intensive exposure to a second language starting early in elementary school as a means of developing and maintaining competence in that language. This involves teaching other subjects in the second language.

Late immersion — intensive exposure to a second language starting in late elementary or early junior high school years for the purpose of developing and maintaining competence in that language. This involves teaching other subjects in the second language.

LATERAL TRANSFER — assignment of a civil servant, with or without promotion, to a position of at least a comparable level in another section of the same department or in another department.

LINGUISTIC SCALE — levels of knowledge and competence in a second language based on the standardized testing technique used by the Department of Education.

Level 1: Able to satisfy routine travel needs and minimum courtesy requirements.

Level 2: Able to satisfy routine social demands and limited work requirements.

Level 3: Able to speak the language using sufficiently accurate structures and vocabulary to participate effectively in most formal and informal conversations on practical, social, and professional topics.

Level 4: Able to use the language fluently and accurately on all levels normally pertinent to professional needs.

Level 5: Speaking proficiency equivalent to that of an educated native speaker.

MANNER, effective or positive — the taking of special steps to indicate that the service is available orally and in writing in the language of the client's choice.

MAPS

Administrative — maps used by government departments to define geographic administrative areas for the delivery of services.

Superimposed — maps overlapping in full or in part so that certain services of a department are delivered from different offices in the same region or from offices in an adjacent region, principally for reasons of distance and language.

STATUTORY REQUIREMENT — an obligation prescribed by law, regulation or by executive order recognizing a right or assigning a responsibility.

TRANSITIONAL MEASURE — a temporary or time-limited means of attaining an objective pending a permanent arrangement.

ACKNOWLEDGMENTS

On the completion of their work, the Members of the Committee would like to thank those who contributed to the success of the exercise. First of all, the Committee wishes to express its gratitude to the people of the province who took the time to reflect on the language issue and to present their opinions and briefs in the information sessions and workshops, both public and private. In addition, the Committee would like to thank the senior civil servants who described the operations of government, from a linguistic perspective, and offered their views to the Committee. The members also benefited from the services of a number of people and wish to thank them.

The invaluable contribution of the interpreters particularly during the information sessions and the public hearings demands recognition. The holding of these sessions and hearings required the involvement of many organizations and persons in making available their meeting rooms and their co-operation is duly acknowledged here.

A successful dialogue with the people requires the collaboration of the media, thus the Committee wishes to express its appreciation for the diligent reporting of the operations of the Committee, and especially during the information sessions and public hearings.

Lastly, the Committee wishes to thank the Government of New Brunswick and the Office of the Secretary of State for their respective financial contributions, to underscore their appreciation to the many civil servants who were consulted several times, and to the Intergovernmental Committee on Official Languages.

ABBREVIATIONS

adm.	Administrative.	Q	Response to a question at a public hearing.
B	Bilingual.		
Bil (a)	Fluently bilingual[1].	Scient. & prof	Scientific and Professional.
Bil (b)	Functionally bilingual[1].	Sec.	Secondary (School System).
E	English-speaking.	Uniden.	Unidentified.
Elem.	Elementary (School System).	Unil.	Unilingual.
F	French-speaking.	Univ.	University.
N	Number.		

1. See Glossary.

INTRODUCTION

INTRODUCTION

The Honourable Richard Hatfield, Premier of New Brunswick announced, on March 23rd, 1984, the establishment of a seven-member body to seek public input on the Report of the Task Force on Official Languages entitled "Towards Equality of Official Languages in New Brunswick". That Report, which had been submitted to the Legislative Assembly on May 7th, 1982, dealt with many aspects of official languages in New Brunswick and made 96 recommendations relating to a wide range of sectors including the civil service, legislation, education, justice, municipal government, health services, the public utilities, professional associations, and the private sector.

The seven-member Committee was asked to review all of these recommendations and to undertake a discussion on the Report's conclusions and recommendations and to hear the opinions of persons and organizations who would be affected by the implementation of the recommendations. In addition, the Committee was to examine and assess the range of opinions held on the subject of official languages and report to the provincial government on its findings. The original terms of reference were as follows:

Provincial Advisory Committee on Official Languages

Objectives

To consult and dialogue with the citizens of New Brunswick concerning the report "Towards Equality of Official Languages in New Brunswick" and the facts, views, opinions and recommendations contained therein.

To summarize the results of these discussions and report the findings to the Premier and the Ministers responsible for Government Reform.

Terms of Reference

1. To review the Report on the Task Force on Official Languages "Towards Equality of Official Languages in New Brunswick".

2. To seek and receive expressions of opinion, and to undertake dialogue and discussions on the findings of the report from interested citizens, groups and organizations, including the judiciary, all departments, boards, commissions, corporations, and other agencies of the provincial government, municipalities, professional associations, trade unions and the private sector.

3. To undertake consultations and discussions with the Interdeparmental Advisory Committee on Official Languages as required, to exchange information and views on implementation of the report's recommendations.

4. To advise Premier Richard Hatfield, M. Jean-Maurice Simard, Minister of Public Services Delivery Reform, and Mrs. Brenda Robertson, Minister of Social Programme Reform, on a regular basis of the Committee's understanding of the report and public and private sector views and opinions on its recommendations.

5. To complete the above tasks no later than December 31st, 1984.

Members of the Advisory Committee and the Mandate

The seven citizens originally appointed to the Committee were Roger Clinch, Principal of the Bathurst High School; Georges Cyr, Professor of Political Science, Centre Universitaire Saint-Louis-Maillet, Edmundston; Euclide Daigle, formerly Department Head, Assumption Mutual Life Insurance Co., Dieppe; G. Forbes Elliot, former Principal, University of New Brunswick (Saint John), Saint John; the late Horace Hanson, Q.C., of Hanson, Hashey, Fredericton; Irène Grant-Guérette, experience in psychiatric care, education and community development, Saint John; and Nancy Juneau, High School Teacher, Shippagan. At the same time, a five-member Committee of senior government officers studied the report of the Task Force and its recommendations as they applied to the administration of government. The members of that Committee were Paul C. Leger (Chairman), General Manager of the Community Improvement Corporation; J. Timothy Andrew, Deputy Minister, Department of Agriculture and Rural Development; Jean-Guy Finn, Deputy Minister, Department of Community Colleges; Gordon Gregory, Deputy Minister, Department of Justice; and Guy Lévesque, Deputy Secretary to Cabinet, Economic Policy.

By a letter dated September 6th, 1984, the co-chairpersons of the Advisory Committee, Irène Grant-Guérette and the late Horace Hanson, Q.C., requested of the Premier an extension of the mandate to March 31st, 1985, in order to complete the large numbers of public and private meetings necessary to fulfill the terms of reference of the Committee. Premier Hatfield responded affirmatively by a letter dated September 10th, 1984.

The election of Mr. Roger Clinch to the House of Commons in the federal election of September 1984 necessitated his replacement by Ms. Margaret Larlee, Clerk of the Court of Queen's Bench, Campbellton. She served on the Committee until her appointment to the Bench on November 7th, 1985. The resignation of the late Horace Hanson, Q.C., on November 30th, 1984 over a matter of policy, caused the appointment of Lloyd B. Smith, former provincial court judge, Fredericton, and his assumption of the duties of co-chairperson. At that time at the request of the Committee, the membership of the Committee was expanded to eight persons by the appointment of Mr. Duncan McGeachy, former Principal of St. Stephen High School, St. Stephen.

In a letter dated January 21st, 1985, the Committee asked the Premier whether clarification of the mandate might be appropriate. This request was prompted by public statements made by the Premier himself and by other members of the government with regard to the Report of the Task Force "Towards Equality of Official Languages in New Brunswick." These statements in turn were provoked by the widespread controversies which had arisen during the information phase of the Committee's plan of action which is described below. Premier Hatfield responded affirmatively with a revised and expanded mandate as follows:

Provincial Advisory Committee on Official Languages

Objectives

To consult and confer with the people of New Brunswick concerning their experiences, views, and approaches as to the use of the two official languages in New Brunswick and the development and equality of the two linguistic communities outside of the context of the report.

To receive from them opinions on the recommendations of the Task Force Report "Towards Equality of Official Languages in New Brunswick".

To summarize the results of these discussions and to report the findings to the Premier and the Minister responsible for Government Reform.

Terms of Reference

1. To seek views, experiences and opinions from individuals, groups of citizens, and organizations, on the use of the two official languages and on the development and equality of the two linguistic communities in New Brunswick, today, and in the future. To consult with the judiciary, the appropriate departments, boards, commissions, corporations, and other agencies of the provincial government, municipalities, professional associations, trade unions and the private sector in this regard, keeping in mind the linguistic provisions of the Canadian Constitution, and pertinent provincial legislation.

2. To seek and receive expressions of opinions from interested individuals, groups and organizations on the findings of the Task Force Report "Towards Equality of Official Languages in New Brunswick" and review its recommendations.

3. To undertake discussions with the Interdepartmental Advisory Committee on Official Languages as required, and to exchange information and proposals on the use of the two official languages and the equality of the two linguistic communities in New Brunswick.

4. To periodically advise the Premier of the province of New Brunswick and the Minister of Public Services Delivery Reform of the committee's work and findings.

5. To complete the above consultations by June 30th, 1985, and present its report and recommendations as soon as possible thereafter."

This new mandate took the work of the Committee beyond the confines of the Report of the Task Force and involved its members in the formulation of the recommendations.

The Strategy of the Advisory Committee

In the fall of 1984, the Committee adopted a tripartite plan of action. This comprised the province-wide distribution of written material concerning the Task Force report; the carrying out of a public information phase by means of both public and private sessions; and a final public hearings phase. The written material, a 12-page summary of the 451 page Report of the Task Force, a glossary of terms used in that Report and a pamphlet incorporating the linguistic profile of the civil service was prepared by the Committee to help citizens fully understand the analysis and recommendations in the Report. In those materials the Committee attempted to make clear to the public that the Report was not the work of the Committee itself and that individual members should not be identified as being either supporters or opponents of its recommendations.

The public information phase was carried out between November 6th and December 15th, 1984. Ten public information meetings were held across the province in the following locations: Fredericton, Edmundston, Woodstock, Saint John, St. Andrews, Campbellton, Bathurst, Shippagan, Newcastle and Moncton. The private information workshops were held between the November 8th, 1984 and January 31st, 1985. These 21 sessions with such groups as school boards, Chambers of Commerce, municipal councils and church assemblies were held in Fredericton (3), Edmundston, Grand Falls, Saint John (5), Kedgwick, Campbellton (2), Caraquet, Moncton (4), Bathurst, Shippagan and Bouctouche.

The stimulus for these public and private sessions derived from a perception shared by all members of the Committee that the public had had neither the time nor sufficient information to respond adequately to the Task Force Report. The Committee recognized the dangers of identification with the Report inherent in such an information process as well as the delays and cost involved in such an undertaking. The objectives of the exercise were to inform the public of the nature of the Report and the goals of the mandate, to raise the level of interest of the citizens in the process and to assist them in the preparation of their presentations and briefs.

The private sessions achieved these objectives particularly because of the intimate nature of the format and the informed understanding on the part of participants of the language issues affecting them. The public meetings also achieved this in most cases. In three of these sessions, in Saint John, Newcastle, and Moncton, considerable tensions surfaced which attracted widespread publicity but this in turn served to heighten interest generally in the process. The questions raised in all public meetings and the depth

of feelings shown at many of them provided the Committee with valuable insights into the concerns of the citizens and the degree of understanding, and sometimes confusion, which existed in their minds as to the key issues and recommendations contained in the Report of the Task Force.

The private sessions in particular revealed that some progress was being made toward meeting the concerns voiced in the Report. The participants gave ample evidence of that progress. Their willingness as persons involved in the formulation of educational, economic and administrative policies to promote significant changes in the area of language contrasted with the frequently antagonistic opinions vented at the public sessions. The weighting to be accorded to the relatively informed and to the relatively uninformed opinions presents something of a dilemma.

The third component of the action plan - the public hearing phase - was originally scheduled to run from January 14th, to March 15th, 1985. However these dates were postponed to permit the newly appointed members, Lloyd B. Smith and Duncan McGeachy, to master the large volume of information accumulated during the public information phase in which they had not participated. Accordingly the public hearings were rescheduled between March 12th and May 16th, 1985. They were held in the following cities and towns: Fredericton, Edmundston, Grand Falls, Woodstock, Saint John, St. Andrews, Sussex, Campbellton, Bathurst-Beresford, Newcastle, Shippagan, Bouctouche and Moncton-Dieppe.

An analysis of the briefs presented at those public hearings is given later in this Report. At this point it is sufficient to state that of the 512 briefs received by the Committee 308 were presented publicly of which 146 were in French, 147 in English and 15 were in both languages. The briefs were submitted by municipalities, organizations involved with education, professional and religious bodies, political associations, economic groups and individual citizens.

The Committee was asked to do its work mindful of the Sections of the Charter of Rights and Freedoms and of the pertinent laws of the province; the recommendations made in the briefs received by the Committee were therefore evaluated accordingly. It is proper to add here that the Committee determined early in the process to continue despite adverse reactions among some sections of the public not only to past and present policies of the government on language matters but also to the very existence of the Committee itself. The members were convinced that they had a task to fulfill which in the long run would contribute to the resolution of linguistic controversies between the two official linguistic communities of New Brunswick.

The Legal Framework

The Constitution Act (1982), section 16(1) determines that English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada. Section 16(2) likewise establishes the equal status of the two languages in the province of New Brunswick. The phrase "their use" has raised the question, as yet unanswered by the courts, as to whether the provision may guarantee the right of citizens to work in their own language within government institutions.

With regard to language of service by institutions of government, section 20(2) of the Constitution Act (1982), determines that any member of the public of the province of New Brunswick has the right to communicate with and to receive available services from any office of an institution of the Legislature or government of New Brunswick in either English or French. It remains to be resolved by the courts whether such bodies as municipalities, hospitals and institutions of higher education are institutions of government within the meaning of that constitutional provision.

Section 20(1) similarly entrenches the rights of citizens of New Brunswick with regard to federal institutions situated within the province but the rights accorded here are hedged by qualifications such as significant demand or the special nature of the service offered by the particular office or department. Thus it must be recognized that the rights of citizens of New Brunswick under section 20(1) in relation to the institutions of the provincial government are individual and absolute. The equality of the rights of citizens to use their language in regard to the Legislative Assembly both in the debates, and in records and documents issuing from the Assembly are recognized expressly by sections 17 and 18 of the Constitution Act (1982). Section 23(1) guarantees to citizens the right to have their children receive their primary and secondary instruction in their first language, subject to a numbers qualification.

The guarantees of the citizen's rights before the federal and provincial courts appear in sections 19(1) and 19(2) with the result that either French or English may be used by any person before any court or in any process connected with any judicial proceeding. In addition general provisions of the Constitution Act, sections 21 and 22, seek to ensure the continuation of existing constitutional protections with respect to the two languages. Section 52(1) declares the primacy of the Constitution and renders any other law inconsistent with the provisions of the Constitution ineffective to the extent of that inconsistency.

The preparation of such linguistic legislative provisions affecting the citizens was perceived by a considerable number of the English-speaking community as having been completed without public debate and they complained before the Committee that they were neither informed nor consulted on this vital matter.

As a consequence, the reaction of some has been to seek support for an amendment to the Constitution Act which would make the province a unilingual, English-speaking jurisdiction. The process of amendment of a language provisions affecting New Brunswick is laid down in section 43(b) of the Constitution: any amendment to any provision relating to language

within New Brunswick may be made by proclamation issued by the Governor-General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the Legislative Assembly of New Brunswick. The political complexities inherent in such a process do not require elaboration here.

The provisions of the Constitution recognizing the equality of status of the two official languages, and ensuring the equality of services to both official linguistic communities, were preceded in New Brunswick by the legislative recognition of the collective linguistic rights of the two language groups. Those constitutional provisions have given rise to the question of the right of civil servants to work in their own language which remains to be judicially determined.

The Act Recognizing The Equality Of The Two Official Linguistic Communities, passed by the Legislative Assembly, was given Royal Assent on July 17th, 1981. In the preamble to the Act the government expressed its purpose to enshrine in the provincial laws a declaration of principles relating to the equality of status of the two groups which would serve as a model for public institutions and as an example for private organizations. The principles so declared included, besides a general commitment to equality of rights, the acknowledgment of the distinct values and heritages of each linguistic community and of the need to enhance the capacity of each group to enjoy its heritage and to safeguard it for future generations. Specifically, the Assembly recognized at section 1 the unique character of the province composed as it is of two official language communities, which might be seen as a response to the pressure for two separate provinces. In section 2 the government promised to ensure the equality of status of the groups and recognized their rights to distinct institutions for the carrying on of cultural, educational and social activities. And lastly, by section 3, the government undertook to allocate public resources to promote the cultural, economic, educational and social development of the two official linguistic communities.

The passage of Bill 88, as it is known, by the unanimous vote of the Legislature had to that time attracted little attention amongst the English community nor had that group appreciated that such a legislative statement of principles corresponds closely with the requests of the French community in recent years (especially at the 1979 Acadian Convention d'orientation nationale in Edmundston). Members of the English community who did offer opinions to the Committee on the import of the Bill felt it could only serve to separate and isolate the two communities from each other.

Conversely, the French community embraced the objectives of Bill 88 although it found its expectations of concrete action unrealized by the absence of a publicly declared government plan of action and of procedures for the implementation of the principles enacted. As a consequence several groups in the French community such as French-speaking municipalities and the Association des agriculteurs francophones have taken steps toward establishing their own institutions within or alongside presently existing provincial organizations.

The principal provincial legislation on languages remains the Official Languages of New Brunswick Act of 1969, implemented in large part only in 1977 with revisions continuing to date. This Act, following the style of the Official Languages Act of Canada, 1968, recognizes English and French to be the official languages of New Brunswick endowed with equal status and privileges for all purposes within the jurisdiction of the Legislature of the province.

Section 10 requires that all services of government be made available in the citizen's language of choice. The Legislature also establishes the equality of the two languages in the debates of the Legislature, in all records, reports and documents published therefrom.

Section 13 guarantees the citizen's language rights before the courts. Thus no person is to suffer any disadvantage arising from the choice to be heard in a given language. Anyone charged with the infraction of a provincial law, regulation or municipal by-law has the right to a hearing in the language of his choice. Section 15 gives the Lieutenant-Governor in Council the power to pass regulations for the better application of the law following its spirit and intent bearing in mind the numbers of persons affected.

The hopes of the French community raised by the passage of this Act in 1969 were dampened by its delayed implementation through to 1977 and also by the fact that the civil service could meet the demands of the law only by massive recourse to translation. Accordingly pressure for its revision and strengthening became evident early in the life of the Act. The Report of the Task Force, commissioned June 26th, 1980 and submitted March 31st, 1982, and this most recent process - the work of the Advisory Committee itself established on March 23rd, 1984 - should be seen against that background.

Recently modest provincial legislative changes have been introduced partly as continuations of policies adopted in the late nineteen-sixties and partly in response to the paramountcy of the federal Constitution Act of 1982. However the government chose not to undertake thorough reform of the Official Languages of New Brunswick Act of 1969 in the manner suggested by the draft Act contained in the Report of the Task Force. Rather the government decided to ask for the views and opinions of the people of the province before embarking upon further change. It is the function of the Advisory Committee on Official Languages both to report on the views of the people and to make appropriate recommendations for change.

In the meantime the government elected to implement some of the recommendations of the Task Force Report "Towards Equality of the Two Official Languages" and to bring the laws of the province in conformity with the spirit and intent of the Charter of Rights and Freedoms within the Constitution Act of 1982. At the same time the government determined to implement some of the recommendations of other ad-

visory committees, for examples, the Report on the Organization and the Boundaries of School Districts and the Report of the New Brunswick Task Force on Amateur Sport. In short, over the last decade the government of the province has responded affirmatively to a fairly consistent body of informed opinion as to how it could best meet the needs of the two linguistic communities in New Brunswick. Also, this Report recognizes the work of the Office of Government Reform which is considerable in its potential impact.

In the field of education the Schools Act was modified, by sections 3.1 to 3.3, to set up homogeneous schools governed by homogeneous school boards within homogeneous school districts. The government also gave its support to the establishment of homogeneous schools for minority language groups in areas of overwhelming predominance of the other language group (ex: Fredericton, Saint John, Newcastle and Grand Falls).

A variety of amending legislation sought to ensure the equality of the two official languages and to guarantee equality of services in both official languages in matters within provincial jurisdiction. Thus changes were introduced to the Business Corporations Act, the Civil Service Act, the Conditional Sales Act, the Evidence Act, the Expropriation Act, the Health Act, the Judicature Act, the Jury Act, the Occupational Health and Safety Act, the Right to Information Act, the Standard Forms of Conveyancing Act, the Town of Grand Falls Act, and the Vital Statistics Act.

In addition certain professional associations such as those concerned with the interests of teachers, nurses and lawyers and their relations with the public chose to ask that their private Acts be redrawn to recognize the equality of status of the two official languages in terms of their internal government and to ensure the equality of services by language to the citizens of the province. Other professional organizations have indicated their intention to do likewise.

The legal framework governing languages in New Brunswick should be seen as operating at three levels. Paramount is the Constitution Act which, coupled with the federal Official Languages Act, lay down the essential equality of status of the two languages in New Brunswick. On the next level is the Official Languages of New Brunswick Act, Bill 88 and all the array of other amended legislation governing the equal right of citizens of the two linguistic communities to receive services in the language of their choice. On the third level are the private Acts governing the internal practices and public services of the professional associations, such as nurses and lawyers. The existence of this range of language-related legislation, all of it aimed at guaranteeing the rights of the citizens of the province, explains not only the present requests of the French-speaking community for comprehensive implementation of the laws but also the concern of the English-speaking community as to what new legislative measures may be required.

The Report of the Advisory Committee on Official Languages

The Committee prepared its Report within the context of the pertinent laws and its findings and conclusions are presented in three segments. The first part comprises a summary of the 512 presentations made by the participants in the process. The Committee undertook to give an accurate and objective picture of the views expressed and their relative weight in relation to the major issues.

The second part comprises the results of some research reports commissioned by the Committee. The Committee did not wish, nor did it have the mandate to pursue the research activities of the earlier Task Force. Nevertheless it was thought important to examine carefully a number of facts and bring certain statistics up to date before offering recommendations in certain areas.

The third part contains the findings and recommendations of the Committee. There is also a comparative linguistic profile of the civil service between 1978 and 1985. That profile compares the linguistic distribution of the civil servants between 1978 and 1985 and compares between 1982 and 1985 their language capacities within the professional categories.

PART ONE

THE PUBLIC HEARING PHASE

As described in the Introduction, the Committee consulted with the people of New Brunswick by means of a series of public information meetings held across the province between March 12th and May 16th, 1985.

The public hearing phase was preceded by a widespread advertising campaign in the press which invited both individuals and groups to submit written briefs to the Committee's secretariat at least ten days before the hearings in a particular area. In addition citizens were given the choice of sending written materials directly to the Committee without public presentation. The deadline for receipt of opinions was March 31st, 1985.

Public hearings were conducted as follows:

Place	Dates		Total Hours
Fredericton	12/13/14	March	'85 18 hrs.
Edmundston	19/20	March	'85 10 hrs.
Grand Falls	26/27	March	'85 8 1/2 hrs.
Woodstock	28	March	'85 3 hrs.
Saint John	2/3/4	April	'85 16 hrs.
St. Andrews	9/10	April	'85 8 hrs.
Sussex	16	April	'85 5 hrs.
Campbellton	23/24	April	'85 12 hrs.
Bathurst	25	April	'85 7 1/2 hrs.
Chatham	29	April	'85 6 hrs.
Shippagan	30/1/2	Ap/May	'85 20 hrs.
Bouctouche	6/7	May	'85 9 hrs.
Moncton	8/9/14/15/16	May	'85 31 1/2 hrs.

The Committee held approximately 155 hours of hearings in which 308 briefs were presented. Of the total, 147 (47.7%) English briefs were presented, 146 (47.4%) French briefs were heard and 15 (4.9%)[1] bilingual presentations were made giving a total of 308 publicly presented briefs. Of the 146 French briefs, 107 (73.3%) were presented by groups[2] and 39 (26.3%) were offered by individuals. Of the 147 English briefs, 73 or (49.7%) were presented by groups or organizations and 74 (50.3%) were presented by citizens on their own behalf. All of the bilingual briefs were presented on behalf of groups.

The Committee also received another 204 briefs during this phase: 40 French submissions (17 groups and 23 individuals), 159 English presentations (19 groups and 140 individuals), and five bilingual opinions (two groups and three individuals.

The total number of briefs submitted was therefore 512 distributed as follows:

The table below indicates the distribution of the briefs by region, language[3] and manner of presentation (public or private.)

1. By Region	Public				Private				Total			
	Total	F	E	B	Total	F	E	B	Total	F	E	B
Fredericton	37	9	26	2	30	3	25	2	67	12	51	4
Edmundston	16	15	0	1	19	16	2	1	25	21	2	2
Grand Falls	18	12	6	0	0	0	0	0	18	12	6	0
Woodstock	6	0	6	0	9	1	8	0	15	1	14	0
Saint John	38	3	35	0	43	4	37	2	81	7	72	2
St. Andrews	18	0	18	0	7	0	7	0	25	0	25	0
Sussex	17	0	17	0	6	0	6	0	23	0	23	0
Campbellton	21	15	4	2	10	3	7	0	31	18	11	2
Bathurst	11	8	2	1	4	2	2	0	15	10	4	1
Chatham	16	6	9	1	15	0	15	0	31	6	24	1
Shippagan	36	36	0	0	7	7	0	0	43	43	0	0
Bouctouche	16	15	0	1	4	3	1	0	20	18	1	1
Moncton	58	27	24	7	60	11	49	0	118	38	73	7
Total:	308	146	147	15	204	40	159	5	512	186	306	20

2. By Language:

French	186 (36.3%)	Groups 124 (66.7%)	Individuals 62 (33.4%)
English	306 (59.8%)	Groups 92 (66.7%)	Individuals 214 (70.0%)
Bilingual	20 (9.9%)	Groups 17 (66.7%)	Individuals 3 (15.0%)
Total:	512	233	279

1. Those defined as bilingual comprise the briefs submitted to the Committee by organizations officially designated as bilingual or by persons who presented their briefs in both official languages.
2. Associations, municipalities or recognized organizations: when a brief was submitted by several individuals, but in their personal capacity, the brief is designated as presented by individuals.
3. The language designation is based on the language chosen by the presenter as indicated in Appendix I.

Of the 124 briefs in French presented by groups, 92 (74.2%) fall into the following categories:

Municipalities	17
Association des enseignants francophones du Nouveau-Brunswick and local branches	13
Les Dames d'Acadie and local branches	12
Société des Acadiens du Nouveau-Brunswick and local branches	11
Universities and affiliates	10
School districts	10
Professional and private sector associations	9
Religious organizations	5
Private corporations	5

Of the 92 briefs in English submitted by groups, 79 (86%) were by:

Municipalities	21
School districts	12
Educational organizations	11
Professional and private sector associations	10
New Brunswick Association of English-speaking Canadians and regional branches	7
Political organizations	7
Chambers of Commerce	6
Private corporations	5

Of the 17 bilingual groups, 15 (75%) were from:

Professional organizations	7
Municipalities	5
Health-care organizations	3

The degree of participation of English-speaking and French-speaking municipalities, school districts and professional organizations is noteworthy. The level of involvement of the French-language universities and teachers' organizations was higher than that of their English-language counterparts (only the New Brunswick Teachers' Association and the University of New Brunswick offered briefs) while the English-language Chambers of Commerce participated more than the French-language Chambers. The "nationalist" organizations from both communities were well represented.

During the hearing phase the presentation of a brief was generally followed by questions from the Committee which permitted the speaker to elaborate on his or her position and to speak to issues not raised directly in the particular brief. Both the readings of the briefs and the replies to questions were tape-recorded and later transcribed. Then the contents of all briefs were summarized, coded and entered into a computer along with the responses of the speakers to the question asked by the members. The briefs were coded by one English-speaking member and consultant and by one French-speaking member and consultant. The opinion analysis below was performed by reviewing all of the information compiled in the manner described above.

The opinions given were not always absolutely clear and few of the briefs explored all of the aspects of linguistic equality. Many focused on the Report of the Task Force "Towards Equality of Official Languages in New Brunswick" and the majority of briefs took categorical positions for or against that Report. Thus in order to ascertain the position of each participant on any one of the major issues it was necessary to consider the particular brief as a whole. Further, opinions were not counted unless clearly articulated and addressed directly to the specific issue in hand or unless an opinion could be deduced from the overall tenor of the brief.

When apparent discrepancies applied between the written views of a presenter and his or her oral responses to questions attempts were made to reconcile these and to respect the author's opinion unless it was unfathomable.

The numbers and percentages presented lack the accuracy of those resulting from a survey or questionnaire in which all respondents react to the same questions. On the other hand the data offered below does represent the freely expressed views of the intervenors albeit analyzed in terms of categories of issues determined later by the authors of this Report. A serious and determined effort was made to accurately present the views of each presenter. On occasion the quotations from briefs are translations and on others they represent paraphrases of statements, all the while preserving accuracy of the views of the participants.

The order of presentation is constant throughout this portion of the Report: English, French and bilingual briefs. However since the relatively small number of bilingual briefs dealt principally with issues directly involving the presenters, on occasion only English and French views are given on a particular topic. In regard to the major questions, the number of relevant briefs of each language group and an analysis of the opinions will be given. Numbers and percentages will give an estimate of the popularity of the specific viewpoint unless there is a clear consensus which speaks for itself.

Firstly the analysis will deal with general opinions, that of the policy of linguistic and cultural equality; reactions to the Report of the Task Force, "Towards Equality of Official Languages in New Brunswick" and its principles and objectives, and the mechanisms it recommended. These opinions indicate general trends and indicate perspectives on specific areas of application such as the civil service, the municipalities and the health care system; the departments are dealt with under a separate section. The mechanisms for implementation of the major principles and objectives adopted by the present Report are dealt with separately in section three.

The analysis applies to four main areas:

1. The major principles and objectives; the policy of two official languages and the Report "Towards Equality of Official Languages in New Brunswick";
2. Fields of application;
3. The language policy and individual departments of government;
4. Mechanisms for implementation of the language policy.

SECTION ONE

OPINIONS ON THE MAJOR PRINCIPLES AND OBJECTIVES

Attention was focused on two principal themes: a) the policy of two official languages in the province and b) the Report of the Task Force, "Towards Equality of Official Languages of New Brunswick"[1].

I. The Policy of Two Official Languages

Of 512 briefs submitted 493 expressed an opinion on this issue. The 19 that did not either gave examples of personal problems without taking a position on the basic issue or on the process of consultation. It should be noted here that while cultural and language issues are closely related, cultural questions will be discussed in a separate section.

A. English-Language Briefs

The 289 (94.4%) English-language briefs addressing fundamental policy can be broken down into three sets:

- those opposed to the policy of bilingualism: 85 (29.4%);
- those not in favour of bilingualism but not categorically opposed: 36 (12.5%);
- those accepting the official language policy: 168 (58.1%).

The first set maintained that the province is English-speaking and should return to a policy of official unilingualism in which all unilingual French citizens would be taught English. They believed the policy of official bilingualism to be futile and in 36 cases recommended the repeal of the Official Languages of New Brunswick Act (1969). Eighteen said that the French should not have language rights and others denigrated the provisions of the Charter of Rights and Freedoms. A number consider the provisions of the Constitution Act to be illegal and invalid because the issues were never put to a referendum (53E, 364E, 405E, 833E). One brief was particularly critical of the so-called "New Brunswick sections" 16 to 20 of the Charter. Those opposed to official bilingualism logically were opposed to legislation on language matters (64E, 365E, 410E, 799E, 830E, 845E, and 851E). Ten of these briefs were presented by groups and 75 by individuals.

The second set, made up of 36 (7.3%) briefs, four presented by groups, were opposed to bilingualism but their position was less clear. Some of these briefs pointed out that there is only one language predominant in the world and especially in North America and that is English. Others emphasized the need for unity, and in light of the Irish experience the necessity of avoiding a civil war. Further they argued that the maintenance of culture is a personal, not a governmental matter which is confined to the home: in addition they opposed language legislation and proposed that the funds spent on bilingualism be more fruitfully spent on more important needs such as job creation. A number demanded that a vote or referendum on the language issue be held as the majority must rule. The ambiguity in this set of briefs stems from the fact that either they do not directly condemn official bilingualism or offer contradictory viewpoints. For example, one brief accepted the need for some services in French but also held that official bilingualism would create problems and that the matter should be put to a referendum.

A number of the briefs took the position that the situation of French citizens is at least satisfactory or that the French have more "than their share" and

> "are spoiled by the P.C. government at the expense of the English-speaking majority" (861E)

Another maintained that the English have treated the French fairly (414E) while yet another writer stated that he was "tired" of the concessions made to the French (576E). One presenter confessed his confusion over French demands for bilingualism, first for duality then for services by persons of the same language and culture (57E). One presenter argued that while the English are receptive to bilingualism and send their children to immersion, conversely the French are not and demand separate schools (777E). Most of this set of briefs spoke of their perceptions of longstanding harmony between the two communities (205E, 565E and 582E).

The two sets surveyed above comprise 121 (41.9%) of the English briefs. Fourteen (11.6%) of that total of 121 were submitted by groups: six were presented by provincial and regional sections of the New Brunswick Association of English-speaking Canadians, three by municipalities, one by the Canada Party and the remainder, four, by diverse groups.

Lastly, 168 (58.1%) briefs supported the official languages policy but did so from differing positions. Some argued for the status quo or the provision of services by translation and interpretation; others argued that the degree of equality requested by the French is unattainable; while the majority advocated

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1. The Report of the Task Force "Towards Equality of Official Languages of New Brunswick is referred to, in the next three sections, as the "Report".

a policy of gradualism operating over a generation or so and relying on the school system to produce a bilingual province.

With few exceptions English and French opinions were quite different. The English emphasized individual bilingualism and the gradual achieving of institutional bilingualism (25E). One presenter went further to suggest that for the English-speaking community bilingualism meant the teaching of both languages and, for the French-speaking community, instituting duality. The adoption of duality by the Report of the Task Force exercised very considerable influence on opinions so that some said that while they supported a policy of bilingualism they could not support a policy which encouraged separation (262E). Some viewed bilingualism as an inherent characteristic of the province and one which distinguished New Brunswick from its neighbours to the south (253E). A number admitted that any attempt to return to unilingualism was undesirable and impractical (29E). Certain presenters saw a bilingual province as being one in which the two groups received equal treatment but not one in which all citizens spoke both languages (11E, 15E and 39E).

Although the term "bilingualism" is frequently employed in the English briefs, the word "equality" rarely appears unless in a sentence which denies its possible achievement. There are some exceptions such as the presentation of a labour group which emphasized that it was

> "totally opposed to any linguistic inequalities that exist today in this province to either the French or English-speaking communities." (285E)

More typical opinions included the following:

> "The equality of French is utopic because of the preponderance of English." (280E)

One presenter admitted that everyone is equal before the law but recognized that people are never truly equal so that all must strive to remove these inequalities. Nevertheless he concluded that,

> "to attempt to upset the balance between the two major language groups is intolerable." (406E)

Some participants stated baldly that the French cannot have equality of status (30E, 277E and 514E) while others believed that complete equality was unattainable:

> "minorities, in general, cannot expect to be treated equally because they are not in a position to do so." (276E)

> "Speaking realistically, we must recognize that English and French are not and never can be truly equal in the North American context. Trade and commerce requirements make English the language of communications with the rest of the continent and the world." (272E)

> "It is impossible to agree with the primary objective of the report: the equality of services in both official languages. Francophones do have the right to be served in their language where reasonable and possible in the judiciary system, health care and emergency services, safety instructions in the work place and collective agreements." (6E)

The Report of the Task Force was sometimes criticized for centering on the equality of the French rather then on the policy of "bilingualism" (470E). Many English presenters opposed any type of legislation in the area of language (7E, 253E, 354E, 412E, 505E, 553E, 715E, and 851E) or spoke against additional language laws (28E, 280E, 366E, 451E and 557E). One participant maintained,

> "that bilingualism and culture cannot be married by legislation," (804E)

while another argued that

> "societies that have attempted to grant rights to groups rather than to individuals" (3E)

have had problems in avoiding discrimination as a consequence. Another speaker expressed the hope that any new law would be both practical and fair to both communities (573E). In reaction to the scheme of implementing mechanisms in the Report of the Task Force one English group recommended that any language law be applied intelligently and without artificiality (811E).

Some English briefs supported the spirit of the present law as being non-coercive and as guaranteeing equal opportunity to the individual (259E and 553E), while another believed that the Charter is sufficient in itself (32E). One presenter was of the opinion that the existence of the Charter had overtaken the process itself (551E). A number formally espoused the spirit of the Charter (259E, 284E and 811E) while many briefs rejected any legislation with an ethnocentric purpose (259E). On the other hand many strongly opposed language legislation as can be seen from the number of briefs rejecting the Report of the Task Force and from other more specific opinions (1E, 27E, 32E, 551E and 564E).

Most of the English presenters considered the present situation to be satisfactory or that at least the French have made clear progress:

> "We believe we have, in recent years, made considerable progress (in giving equal rights and privileges to both language groups), and, while we can understand the impatience some may feel in their desire to have the matter settled quickly, patience may, in the long run, yield the greater and more lasting rewards." (953E)

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1. The briefs are identified as follows: E = English-speaking; F = French-speaking; B = bilingual and Q = Response to a question at a public hearing. The number refers to the list of briefs in Appendix 1.

These sentiments were shared by others (20E, 408E and 451E). Still others stated their belief that the French are getting most, if not, all of the jobs and that already they have more than adequate representation in the civil service (175E). One participant maintained that the French are progressing at the expense of the English and with the support of some of that group (276E), while another stated that the French

> "who ask for the moon must remember that they are the minority and that insulting those who pay the bills does not usually bring immediate satisfaction." (722E)

In the minds of some members of the English community the present situation of French citizens is unacceptable

> "When one considers the meager progress that has been made since 1969, it (duality) may possibly be the only manner by which equality of services to all our citizens can be achieved in a reasonable length of time." (23E)

> "I have faith in the good will and good faith of the Anglophone people .... We will stand up and demand that Acadians get now what has long been promised." (629E)

A number admitted that

> "Francophones in New Brunswick have not been treated fairly in the past." (512E)

but went on to argue that the French are not the only group to have suffered discrimination as the history of the Irish and Scots reveal (512E). Others argued that the French and the English both suffer socio economic disadvantages (8E and 28E). Some presenters were sure that there was no harmony between the groups (313E and 363E) while others were convinced that the two communities had always enjoyed harmonious relations (553E and 579E). Some called for tolerance (320E).

B. French-Language Briefs

The 186 briefs submitted by French-speaking presenters unanimously supported the principle of two official languages and perceived that principle to be fundamental to their claims for equality of status and the implementation of their rights in the near future (less than 10 years). The presenters unanimously rejected translation as a means of ensuring institutional bilingualism. The French-speaking presenters did not frequently comment on individual bilingualism but rather insisted that the Official Languages of New Brunswick Act (1969) should ensure institutional bilingualism. Below are a sample of the opinions given:

> "Bilingualism is the tolerant and peaceful coexistence ... of two unilingual groups with, ideally, a high level of understanding." (109F)

> "A bilingual province does not mean that everyone has to be bilingual but that institutions have to be." (602F)

> "A bilingual province is one in which the two groups have the opportunity of being treated equally and not one in which everyone has to become bilingual." (161F)

> "Bilingualism is when all people become bilingual." (612F)

Thus institutional bilingualism must lead to equality. A professor from the University of Moncton after admitting that the Report of the Task Force had been unfavourably received went on to say,

> "at least the basic idea was understood by most citizens. They appreciated that a way had to be found to ensure the *equality*[1] of the two linguistic communities in the province. But it is precisely this idea of equality which is still far from being accepted in New Brunswick." (641F)

The French presenters rarely used the term "bilingualism" but rather employed the word "equality", for example

> "All our hopes and demands can be summarized in one word - equality, nothing more, nothing less." (311F, 603F and 709F)

> "The equality of a language cannot be expressed in terms of percentages: one cannot be 33% of the other." (751F)

> "Economic problems can be used to explain the lack of equality between the two peoples: the two problems must be tackled head-on." (712F)

> "The movement toward equality is irreversible." (847F)

A number stated that although the legislation in effect speaks of equality the rights so recognized are not respected (615F) and that inequality is still a fact (628F, 803F, 816F, 850F and 857F). One later presenter, who offered a synthesis of the process and advocated mutual understanding, concluded "that there is nothing contradictory" about the fact that the English wish to become bilingual while the French want to begin from a position of living their lives everyday in their own language:

> "We understand your wishes and we are asking you to make an effort to understand our needs." (820F)

Most of the French participants whether directly or through their support for the Report of the Task Force argued for legislated bilingualism making clear their skepticism of good will as the sole solution (13F, 556F, 628F, 701F, 711F, 712F and 830F). Further they stated that new legislation is required which will be authoritative, broader and contain mechanisms for implemen-

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1. Underlined in the text.

tation, embody an overall linguistic plan and incorporate a timetable of implementation (16F, 267F, 457F and 506F). Others proposed that the legislation recognizing the fact of the two linguistic communities in the province, Bill 88, be given precedence over all other legislation, that it be enshrined in the Constitution and that mechanisms for implementation be added to it (614F and 854F).

Lastly, many of the French-speaking presenters asked that the Official Languages of New Brunswick Act (1969) be given precedence over all other provincial laws (the 112 briefs supporting the Report of the Task Force in its entirety and especially 100F), while others pointed to the Charter of Rights and Freedoms either as a guide on specific issues or on language rights in general. In that regard one Edmundston presenter said in supporting revision of the provincial legislation

> "the Official Languages of New Brunswick Act is inadequate and out-of-date (in comparison to) the Canadian Charter of Rights and Freedoms." (101F)

With regard to the present while all of the French presenters recognized that some progress had been made all maintain that the Official Languages of New Brunswick Act and the Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick ("Bill 88") have not brought about the equality they are asking for (almost all briefs make this point but particularly 66F, 153F, 157F, 507F, 515F, 617F, 620F, 622F, 704F, 708F, 711F, 756F, 803F, 816F and 846F).

The French presenters argued for legislative regulations to implement their rights since in their opinion reliance on good will had been a failure (711F). The great majority of briefs made the point that progress had been slow whether overall or in discrete sectors (13F). Many expressed their objections to the inequality inherent in government services by translation (many briefs but particularly 12F, 614F, 712F and 816F) and others spoke to the injustice of the present socio-economic positions of the two groups (12F, 161F, 164F, 613F, 624F, 704F and 806F).

Some of the French participants argued that harmony does not exist (820F) or that harmony means submission of the French to the English (802F). One presenter stated that the English briefs convinced him that harmony was an unreachable goal (704F) while another said that the insensitivity of the English would only serve to widen the gap between the two communities (712F).

C. Bilingual Briefs

Bilingual briefs generally did not speak to controversial matters but those addressing the central issue accepted the principle of bilingualism and recognized the need for linguistic legislation to

> "enable people to flourish without infringing on the rights of others." (840B)

The brief of the New Brunswick Chamber of Commerce is representative of the opinions of the bilingual briefs when it states that it

> "is not concerned about the Official Languages Act which is designed to ensure the equality of both official languages in New Brunswick." (840B)

However one presenter doubted that equality was attainable:

> "That is the disadvantage of Francophones in this region; at the Université de Moncton .... I think that almost half or more of the texts are in English. That tells me that Francophones are disadvantaged to some extent." (451B Q86)

D. Language and Culture

The link between language and culture was discussed in many briefs along with the question of assimilation, principally by French presenters. There are sharp differences between the English and French appreciations of the current situation as regards culture.

1. English-Language Briefs

The English briefs made two main points:

- Culture is a personal matter inappropriate for legislative intervention (represented in over 60 briefs);
- Citizens of the province are Canadians first and foremost (stated in 40 opinions).

These widely held views recognize the importance of respecting the culture of others but are opposed to governmental intervention on the premise that the preservation of a culture is the responsibility of the particular group and its members (257F and 405B). The English maintained that the Acadians have survived for over two hundred years without such intervention and that this is as it should be (405). They also believed that the vitality of a culture should determine its survival (415B). One English Member of the Legislative Assembly summarized the position as follows:

> "One grave error that I believe we are guilty of is our obsession with "culture". Although I am in complete agreement that certain language rights be legislated, it is impossible to legislate culture..Culture can only be developed and protected by the individual." (402B)

One other presenter, alluding to the Hutterites, added that

> "French culture certainly has the strength to thrive within itself and trying to legislate its bounds will force a self-destructive backlash." (410B)

One brief, after dwelling on Canadian identity, asked what is the essence of French-Canadian culture and added

> "It is time we identified ourselves as Canadians with a separate culture that is a piece of many cultures - English and French included." (296B)

One presenter argued that the English have given up many aspects of their heritage such as the flag and royal titles in support of national unity (290E). While some English participants recognized the importance of French culture they felt that its development should not be detrimental to other cultures (412E). Other English presenters thought that

> "A policy of official biculturalism is unacceptable not only because it falsely supposes cultural homogeneity within New Brunswick's two linguistic groups, but more importantly because it is inherently antagonistic to individual choice and freedom." (3E)

This last speaker also stated that there is an additional problem to that of equality of English and French language rights - "Acadian cultural security". He criticized the Report of the Task Force for using the terms "language" and "culture" which are confusing and for assuming that,

> "Official bilingualism implies official cultural dual ality, and that linguistic equality demands the collective control by the two cultures of two separate sets of cultural institutions."(3E)

In arguing that there is a fundamental difference between language and culture the presenter recalled the words of former Prime Minister Pierre Trudeau that "although there are two official languages, there is no official culture."

Some of the English briefs recognized the link between language and culture (9E and 364E) while others insisted that the two terms should not be confused (386E and 766E). A number of the English presenters pointed out that the English and French cultures contribute to the province's distinctiveness (20E and 23E), that the government should act to preserve culture and heritage (19E and 20E) and encouraged the Acadians to maintain their culture.

In regard to assimilation a number of English participants took the position that people do not lose their culture in the course of learning another language (579E, 845E and 860E). A larger group argued that the assimilation of the French speakers is inevitable, albeit not desirable (276E, 280E and 286E), and that it has been predictable since the storming of the Plains of Abraham (424E) and because of the individual choices made by Acadians themselves (284E). A number of presenters viewed assimilation as a personal decision (277E, 406E, 414E, 424E, and 501E) or felt that French speakers do not appear to be complaining of the fact (352E and 409E). One speaker perceived assimilation to be a normal social phenomenon whereby the minority adopt the language of the majority so to gain access to higher education and to employment (281E). Two presenters thought that over the long term French speakers will cease to exist as a group (414E and 415E). Some mentioned the impact of mixed marriages as a cause of assimilation (844E).

One English participant who was concerned principally with the issue of regionalization argued that the application of the idea to the north would threaten the English with assimilation (295E). Another stated that while the French have persevered,

> "The pressures that they have survived so far will be nothing in comparison to those that will face them in the future." (828E)

One presenter recognized the importance of understanding both the language and culture of another group (23E) and another proposed adding cultural activities to second language training in French (259E). On the other hand, two briefs stated reservations regarding the preservation of culture through the medium of homogeneous schools (152E and 162E).

2. French-Language Briefs

In the French briefs the presenters tended immediately to identify a close link between language and culture and to make the points that language is the vehicle of culture (602F), that culture is the cradle of its language (609F), that language is not just a means of communication but the medium for conveying a mode of thinking along with knowledge (103F, 613F and 803F). Yet, others argued that culture is more than merely artistic expression but also embraces a way of life (109F). A number of briefs expressed the belief that the cultural distinctiveness of Acadians is one means of protecting the province's own identity from American influence (109F, 489F, 723F and 721F). The French participants stated that they are Canadians but also that their own personality (109F, 165F and 811F) and sense of belonging as Acadians should go beyond

> "the territorial limits of the ethnic group and apply also to the whole of the province." (707F)

The French presenters rejected the "melting-pot" theory as a model for this province and opposed absolutely the prospect of large-scale (565F) or wholesale assimilation (707F). As a consequence of their all-encompassing vision of culture many French presenters recommended the adoption of general development policies geared toward the Acadian community (12F, 104F and 109F). Most of the French participants perceived governmental intervention to be essential and urged further involvement to protect a minority which because of its situation needs specific measures to ensure its linguistic and cultural survival (160F, 161F and 701F).

Some said that the link between language and culture requires that any involvement in the protection of a language implies involvement in the protection of its attendant culture (153F and 602F). One brief concluded

> "Our provincial government should be the first institution protecting this endangered culture."(151F)

Conversely, one presenter felt that legislation itself could not hold-back assimilation (157F) and another argued that laws themselves cannot protect Acadian culture (816F).

A number of briefs described the process and causes of assimilation of the Acadians (151F, 457F, 463F, 469F,

516F, 556F, 704F, 707F, 708F, 709F, 710F, 803F, 809F and 857F). The recently abolished system of bilingual schools was identified as a major cause (556F and 626F) as was the lack of French schools (213F). A number of briefs expressed the belief that education is essential to the transmission of culture and that homogeneous schools are major vehicles for the transmission of Acadian culture (4F, 5F, 457F, 465F, 603F and 705F). The French participants claimed that the homogenous school system had slowed the rate of assimilation (151F, 156F and 706F) but was not in itself sufficient to staunch assimilation (109F and 849F). One presenter stated that schools serve to complete the cultural development process which begins in the home (166F).

Many briefs talked of the role of the English media as a major assimilative pressure (4F, 10F, 161F, 289F, 555F, 603F, 627F and 706F) and one speculated on the impact on the Acadian cultural heritage of the fact that while in 1973 38% of French youngsters watched French language television, the figure in 1982 was only 25%. One presenter proposed that the Canadian Radio-television and Telecommunications Commission ban the rebroadcasting of translated American programmes (157F).

Several briefs, particularly from the southeast region, argued that it is vital that a language be useful and used outside of the protected environments of the home and school. One school board from that region made the case for a correlation between inutility and assimilation and concluded that

> "high assimilation rates exist in regions where the French language is the least useful." (707F, 632F and 803F)

A number maintained that assurances must be given that French will provide access to jobs (706F, 707F, 708F, 710F, 716F and 807F). One school board in the north in discussing the rate of assimilation explained that while French families make up 53% of its region it has only 45% of the student population. The presenter attributed this fact to their assimilation within the surrounding English communities (463F) since the use of the second language outside of the home decreases the ability to speak the mother-tongue (457F) and hastens assimilation (31F).

Some of the French participants emphasized the need for socio-economic development so as to

> "give the different linguistic communities more opportunity to grow and function in their own language and cultural environment." (836F)

since economic disadvantage accelerates assimilation (109F and 114F).

A professor who had studied the phenomenon of linguistic assimilation over a number of years stated:

> "in some regions of New Brunswick, the lack of mechanisms and infrastructure to preserve French makes it difficult, if not impossible, to resist assimilation." (853F)

She concluded that assimilation increases with urbanization and in proportion to the decrease in the minority group. That is, resistance to assimilation weakens when the minority makes up less than two thirds of the population and when that proportion is less than one third the rate of assimilation is dramatic indeed.

Other academic presenters listed additional factors which influence the rate of assimilation: group status, demographic variables (region, geographic distribution, absolute and relative numbers, birth rates, rates of intermarriage, immigration and emigration) and institutional support (media, education and government services (849F).

One brief, while expressing anxiety about the rate of assimilation amongst young people in minority situations, also stated that

> "young people living in majority French-speaking environments suffer from cultural rather than linguistic assimilation" (809F)

and proposed a solution

> "that cultural programmes be incorporated into the schools and that these activities serve as teaching aids to improve the oral and written French of young students." (619F and 556F)

Some participants complained that the government spends more on sports than on culture (162F and 605F) and asked that the priorities be reversed (705F).

A number of briefs pointed to the renaissance of Acadian culture (615F and 847F) and some asked that the 15th of August be recognized as a public holiday (111F and 619F). Others proposed that a cultural centre be established for the Acadian Peninsula (637F).

II. The Report of the Task Force: "Towards Equality of Official Languages in New Brunswick."

The opinions on this Report can be placed in three categories: opinions on the Report itself; opinions expressed on the four principles and objectives adopted by the Report; and opinions on the mechanisms of implementation proposed by the Report.

A. The Report

The opinions on the Report will be presented first and then followed by the supporting arguments.

Of the total of 512 briefs 355 did offer an opinion on the Report (205 English-speaking, 139 French-speaking and 11 bilingual) while 157 (101 in English, 47 in French and nine bilingual) expressed no viewpoint.

The opinions were quite diverse and fall into four distinct sets:

(a) Total agreement with the Report

This set includes the briefs which supported the Report itself or the basic principles and objectives therein and/or the 96 recommendations.

(b) Partial agreement with the Report

This set comprises briefs which supported the principles and objectives of the Report and/or some of the recommendations. Thus some briefs may agree with the Report but do not say so explicitly. For example some specialist groups such as those from the health care system, stated their agreement with the Report's recommendations in the one field they addressed without dealing with the rest of the Report.

(c) Total rejection of the Report

This set includes the briefs which rejected the Report itself or the principles and objectives or the 96 recommendations.

(d) Partial rejection of the Report

This set includes the briefs which rejected the principles and objectives of the Report and/or some of the recommendations but did not offer an opinion on the whole of the Report.

A number of briefs expressed favourable opinions on some points and unfavourable views on others which required that a judgment be made on the overall tenor of the brief in relation to the issues raised. Opinions on the principles and objectives were considered more important than opinions on mechanisms which in turn were considered more weighty than views on the recommendations. Such briefs were placed either in the "partial agreement" or the "partial rejection categories.

Overall, the views of the presenters can be listed as follows:

Total Agreement	112	31.5%
Partial Agreement	61	17.2%
Total Rejection	145	40.8%
Partial Rejection	37	10.4%
TOTAL	355	99.9%

In summary, 51.3% of the briefs which expressed an opinion rejected all or part of the Report while 48.7% are in agreement with all or part of the Report. Of those that did not express an opinion on the Report 21 were opposed in principle to the official languages policy and might probably be placed in the "rejection" category; another 12 were adverse to the concept of bilingualism but did not express an opinion on the Report itself and could possibly fall into the "partial rejection" category. Those which stated support for bilingualism but did not give an opinion on the Report were more difficult to classify. Thus for example the 47 French-language briefs of this variety might have been placed in the "partial agreement" category but were not since this analysis deals only with briefs which expressed an opinion on the Report, its principles and objectives and its recommendations.

1. English-language Briefs

Overall, the English presenters were not impressed by the Report with 87.4% rejecting it either completely (146 briefs) or partially (34 briefs) and 12.6% accepting it either totally (2 briefs) or partially (24 briefs). The arguments in opposition were voiced against the Report itself or against language policy and the Report.

a. Arguments Directed at the Report

Since the majority of the English briefs were opposed to the Report and the arguments offered were aimed at discrediting it, the presentation gives those criticisms in order of importance and frequency.

i. The Acceleration of the Implementation of the Principles and Objectives

This concern was expressed more than 200 times. Its most common form was that bilingualism cannot be implemented quickly, that the Official Languages of New Brunswick Act as a recent enactment in relation to the school system must be given time to produce a generation of bilingual persons. This view is reiterated in discussions of timetables and educational policy but it is stated here to underline that many English participants criticized the Report for recommending too much, too soon.

The first brief heard in the process, from an English-language school board, recognized the special role the province can play in language matters and stated

> "It would be tragic to see this opportunity lost, perhaps indefinitely, due to frustration and impatience at the critical first step." (1E)

and also,

> "Until our children become fluently bilingual through the school system, we should drop the language question." (21E)

Another English-speaking participant, wholly in favour of language equality which he saw as essential to the future of the province, concluded that the objective can be attained only through tolerance, moderation and

> "a sense of patience and a realization that the goal of language equality becomes more difficult to achieve the less time you take to try to reach it." (11E)

One municipality expressed its perception

> "that the Committees have been going too fast without regard to the recommendations of the Task Force" (59E)

Another English-language brief, equally sympathetic to the demands of the French community, maintained that,

> "This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism" (829E)

and that the English must

> "stand up and demand that Acadians get now what has long been promised."

ii. The Report as a Source of Division

This was expressed on more than 200 occasions. This theme will be dealt with again later when discussing duality, perceived as the most divisive of the Report's principles though for some the problem was bilingualism itself. Those arguing for a return to the former policy of unilingualism stated that such a policy would unify the people. More than 70 (11.7%) briefs said that bilingualism and the nature of the Report in particular were divisive factors in the province. Some went so far as to suggest unrest and even civil war (50E, 278E, 422E, 788E, 789E and 795E). Some participants spoke to their conviction that France or the forces of international communism were attempting to foster division and so stage a take-over (275E, 277E, 566E, and 760E). The substantial brief submitted by the New Brunswick Association of English speaking Canadians described an ultra-nationalist scheme, backed by French secret agents, to return Canada to the French fold (21E). One brief maintained that in a democracy it was intolerable to attempt to manipulate language groups (64E) while several accused the Report of advocating unilingualism and separatism (52E, 152E, 351E and 741E) along with regionalism (20E) and isolationism (3E, 254E, 540E and 773E). Some saw the Report as anti-Canadian (553E and 580E) and as accentuating differences between citizens (552E).

iii. The Report as Biased and Unscientific

This accusation was levelled over 80 times in the process. The authors of the Report were criticized for being predominantly French speakers (39E, 307E, 574E and 759E), for not being New Brunswickers in some cases, for being pro-French and ignoring the views of the English (35E, 779E, 789E and 980E). Some declared that the Report wanted to give the French a special status and make New Brunswick a French province. Others complained that the Report was elitist, advocated activist opinions (299E) and was compiled without public consultation. A number proposed that any future language commission be composed of proportional numbers of English and French-speaking New Brunswickers (904E and 823E).

The methodology of the Report was also criticized. In particular Chapter Two on attitudes, based on 77 in-depth interviews, was attacked as being grossly unrepresentative of the people (504E, 470E, 566E, 754E and 934E). Further it was said that,

> "It makes gratuitous assumptions about Anglophone attitudes and behaviour, a tendency which, as we shall argue later, vitiates the entire Report." (3E and 564E)

A number said that it over-emphasized extremist attitudes (15E, 20E, 143E, 299E, 365E and 804E), while another suggested that while such views do exist they are not as widely-held as the Report suggests (170E). The Report was criticized for suggesting two founding peoples when there are at least four (512E) and for categorizing all of the English speakers as Loyalists (741E). A number asked what criteria were used to determine who is French (409E) and on what basis was the population formula (20% or 1,500 French speakers) chosen to set the requirement of municipal services in French (767E). Some of the presenters attacked the Report for using outdated statistics (704E, 781E, 804E and 844E) and for omitting a large proportion of public servants from their information survey (967E). The Report was attacked as being subjective and one professor stated that,

> "the report is filled with historical, sociological and political inaccuracies and distortions, and with evidence of amateurish research design." (3E)

Others condemned what they saw to be gratuitous accusations and unbridled prejudice (11E and 39E) and the omission of any reference to the new generation of bilingual citizens now emerging from the school system (929E).

iv. The Authoritarian Approach of the Report: Mechanisms Proposed in the Report

This concern surfaced at least 40 times in the process. Several English participants recommended an approach based on incentives and good will in place of the coercive mechanisms proposed in the Report. They believed that the Report would force all people to become bilingual (252E, 264E, 304E, 356E, 417E and 422E) or would enforce bilingualism (7E, 59E, 304E, 319E, 408E, 423E, 763E and 777E). The Report was attacked as coercive and anti-democratic (577E, 773E, 811E and 852E) and particularly for its "mania for legislation and language police" (579E and 799E). Some presenters from English-speaking regions while not opposed to bilingualism where necessary were concerned that English regions would be forced to provided bilingual services:

> "I know of good people who feel threatened by the possibility of having French language services in our community, (Sussex) or in being forced to learn French as adults (417E)."

This opinion was shared by many participants especially those from the southwestern part region of the province. One brief argued that the French should be forced to learn English rather than the other way around (87E); another from an English city called the Report revolutionary (270E); while others spoke of the implementation mechanisms as reminiscent of the Gestapo and as replacing with bureaucrats the democratic principles inherent in the authority of the elected representatives of the people at the local level.

v. Racism and Ethnocentrism

This charge was made at least 30 times by participants. Some accused the Report of advocating hiring in the civil service by race and ethnic origin (205E, 512E, 581E, 723E, 757E and 844E), of encouraging discrimination (32E, 256E, 412E, 773E, 812E and 835E) and of being racist (299E, 408E and 766E). Others accused the Report of ethnocentrism (553E, 559E, 773E and 844E) and bigotry (256E). Two briefs argued that such an approach was rendered futile by the fact of ethnic mixing which made cultural purity a myth (825E), which it is since we all come from the same original stock (581E). Two English school boards pointed to the investment in French immersion but expressed concern that bilingual English candidates would not be hired for bilingual positions if the Report was implemented (162E and 456E).

vi. The Tone of the Report

This was raised over 20 times during the process. Several of the English presenters said that they were shocked by the tone of the Report which they described as intolerant (766E), aggressive (754E), negative (329E), insulting and offensive (52E, 274E, 296E, 470E, 551E, 564E, 573E, 580E, 722E, 763E and 766E). Thus,

> "The tone and attitudes of the authors' martyr complex tend to raise people's hostilities." (124E)

It was perceived as a cause of bitterness. (310E)

vii. The Report as Unrealistic and Impractical

This point was made in approximately 10 presentations.

One English municipality said,

> "The Report can certainly make recommendations as to what is "ideal" in the respective municipalities in our province, but what about the realism of it all?" (303E)

Some thought the Report to be difficult to comprehend (152E), and elitist in leaning (565E); others believed that the solutions proposed were "unrealistic and impracticable" (6E, 256E, 551E, 722E, 761E 256E, 551E, 722E, 761E).

viii. Other Appreciations

This set comprises arguments which appear in several different presentations. Thus some said the Report was illogical (258E) and that it had been overtaken by the Charter of Rights and Freedoms (777E). It was said to recommend that all civil servants be bilingual contrary to the intent of the Official Languages of New Brunswick Act (258E). Some of the English presenters decried the costs of its preparation (303E, 756E, 767E and 844E).

ix. Comments on the Process Itself

Some 30 briefs offered such comments. These included questions as to the credibility of the members of the Committee, criticisms of the fact of equal representation of the two linguistic communities, accusations of radical bias on the part of the French-speaking members whereas English-speaking members were felt to be persons of good sense. Some of the presenters thought that the Committee members were guilty of asking questions aimed at tricking the participants (64E, 277E, 299E, 424E, 566E, 577E and 768E). On the other hand some congratulated the members for their manner of participation and for having an open mind (62E and 472E).

One presenter thought it ridiculous to hold hearings on a Report which had been rejected by all (592E) and which was seen as outdated (773E). Another urged the Committee to disband as the process was encouraging the division of New Brunswick into two provinces (781E). One complainant argued that the time limits for presentations were not being properly observed (472E) and another thought it would be better to have the English and French presenters on different occasions to avoid unpleasantness (790E).

Some presenters criticized the costs of the Committee (742E, 743E and 756E) when there was not enough money for more essential things (633E). One advised the Committee to ignore reported statements about French presenters because they represented

> "expressions of bigotry and racial hatred, based on ignorance, the falsification of facts and a distortion of history, combined with a lack of intelligence and the desire to think and listen to other points of view, are not valid opinions." (62E)

One brief protested that the real threat was not the Report but rather the "radicals and extremists" on both sides who dominate public forums and who are "aliens" because

> "they have placed themselves outside the mainstream of New Brunswickers - their case is weak and their numbers are small - with noise and fuss." (655E)

b. The Report and Bilingualism

i. Economic Arguments

Nearly 100 briefs (about 29% of the total) justified their opposition to or reservations toward bilingualism on the basis of cost. 50% of this group commented on the very considerable or prohibitive costs of implementation of the Report's recommendations and of the principle and objective of duality in particular. A dozen asked that accurate cost assessments be conducted before any implementation. One brief criticized the authors for not carrying out a costing exercise although the mandate required analysis of any economic impact (47E). Another asked that the financial and social costs be assessed (19E). Twelve presenters were opposed to bilingualism because they believed that approximately 80% of the cost would derive from the taxes paid by the English majority (415E and 778E). Others thought that enough money had already been spent on language matters and that English-speaking tax-payers were tired of the whole business. One believed that the Official Languages of New Brunswick

Act was draining the economy (533E) and devaluing the dollar (794E), and particularly since French texts are longer and, therefore, more expensive than English texts (330E).

On the other hand, one English participant asked

> "In the name of a renewed New Brunswick, can we afford not to pay (the costs of bilingualism)? (829E).

The second argument under this heading focused on bilingual requirements for civil service jobs and the barrier such create for unilingual English candidates. This issue will be addressed in the section on the civil service and in particular with regard to language of service. Almost 60 briefs made this argument and many maintained that such a requirement means taking jobs from the English to make work for the French. This concern was expressed in many forms but the basic idea was common to all: ensure that a policy of bilingualism does not render jobs inaccessible to English candidates. For example:

> "Most jobs are given to the French." (40E, 41E, 202E, 256E, 277E, 287E, 414E, 456E, 475E, 478E, 559E, 778E, 783E and 852E)

> "The federal government has stripped 15 million citizens of their right to employment and advancement." (54E)

> "Not imposing bilingual requirements until everyone has had a reasonable chance to learn both languages." (32E, 214E and 840E)

> "Frustration at not being able to enroll their children in immersion programmes, which effectively denies them access to jobs (758E); and a belief that parents have enrolled their children in immersion programmes solely for employment purposes." (368E and 411E)

> "The Report is a trick designed to give jobs to the French (423E) or to disqualify the English from jobs in the private and public sectors." (59E)

> "Bilingual requirements for jobs constitute reverse discrimination against unilingual English." (32E and 812E)

> "Some attribute the loss of a job or their ineligibility or continuing unemployment to bilingual requirements." (299E, 374E, 783E and 792E)

> "In some regions, it is argued that the bilingual requirements disqualify 98% of the local applicants." (387E, 374E, 368E and 417E)

> "A number fear that bilingual English will not have access to such jobs because cultural and ethnic factors will be introduced." (84E, 205E, 299E, 351E, 460E, 551E, 564E, 581E, 771E and 754E)

> "One English brief from Northumberland stated that ethnic requirements could affect French civil servants in that county." (552E)

Fifteen briefs, some supporting bilingualism, stated that government should give priority to economic recovery, combating unemployment (253E, 362E, 370E, 556E, 780E and 794E) and job creation (321E, 558E and 743E). One participant argued that government intrusion in the economy must be reduced not increased (774E); others expressed their conviction that implementation of the Report and the impact of the Official Languages of New Brunswick Act would bankrupt the province (759E and 833E).

While there is a specific section on the private sector below, it is appropriate to state here that some 10 English briefs took the view that bilingualism and the implementation of the Report were unacceptable to private enterprise (205E, 254E and 270E), that bilingualism was killing the province, would persuade businesses against locating here (253E, 260E, 271E and 299E) and encourage others to leave (283E and 424E). One argued that hiring according to ethnic criteria is detrimental to private business (501E), while another complained that bilingualism like equal opportunity before it has stifled initiative and stalled production in New Brunswick (419E).

ii. Political and Legal Arguments

The predominant theme found in some 50 briefs was that the majority must rule. It was argues that important issues such as language policy should be put to a referendum so that the will of the majority could be determined. The majority should not be dictated to by the minority (475E) and that the Official Languages of New Brunswick Act, the Constitution Act (1982) and any new or revised language legislation were matters for a vote of the people (27E, 292E, 295E, 365E, 366E, 833E and 845E). A number argued that the language of the majority, English should be first with French second. Over 15 briefs pointed out that English is the language in the world today (29E, 30E, 366E and 416E) and certainly in North America (361E, 406E, 410E and 415E). It is the language of trade and so is the logical language for New Brunswick (7E, 15E, 27E, 281E, 361E and 845E). Others proposed that all of the French should learn English which they saw as a small price to pay for living in New Brunswick when there is no requirement to take an oath of loyalty (324E). A few said that the English should elect a new government since the present parties do not represent English interests (45E), that the Acadian vote is not required to form a majority government (277E) and that an association should be formed to protect English rights in light of the failure of the major parties to do so (272E). One brief argued that the Progressive Conservative party must represent the majority (825E). Two briefs borrowed the idea that the maturity of a society can be measured in the manner in which it treats its minorities (11E and 39E).

Some 20 presenters were certain that the French wanted to control the province through the device of bilingualism (53E, 276E, 277E, 312E, 760E and 787E) and that this is the last chance the English have to save their language (860E). One compared the French tactics to the policies of Adolf Hilter. The basic position of the New Brunswick Association of English-speaking Canadians and others was expressed thus:

"there is no foreseeable end to the constant increasing demand of Francophone ultra-nationalists until French influence is totally recovered in Canada - coast to coast - to avenge the loss of Acadia and, in subsequent time, the loss of Canada to the British on the Plains of Abraham." (21E)

"Without a doubt, there are pressures from outside the province and, maybe, from outside Canada, on the Acadian people to establish French power in New Brunswick.French power in New Brunswick." (777E)

Some alluded to the presence, in recent time, of French agents engaged in elaborate plots in Quebec and New Brunswick to reassert French influence.

A number complained that in calls to the civil service in Fredericton the telephone is now always answered in French or by someone with a French accent (830E).

As already noted, some of those opposed to bilingualism stated that the language legislation, both federal and provincial, was unconstitutional as they were not put to a vote of the people. One said that

"Official language legislation, federally and provincially, contravenes our constitution."

and went on to quote the British North America Act (1867) to the effect that

"the official language of Canada was English with certain status and privileges for the use of the French language." (256E)

Others wondered whether the rights of other minorities should be protected, particularly those of the native people (314, 300E and 460E). One English presenter called the Report out of date because

"our Canadian Constitution guarantees the equality of all Canadians in all matters which the Report embraces" (412E)

while another stated that the Report goes beyond the requirements of the Charter of Rights and Freedoms itself (577E).

iii. Historical Arguments

Some of the English participants took the position that Canada has been an English-speaking country since at least 1763 if not earlier (21E, 211E, 212E and 297E). That is, it was argued that the Treaty of Utrecht (1710) which ceded Acadia to Great Britain

"should have settled the matter because, at the time, and according to the prevailing philosophy, war and peace were instruments to end political disputes." (21E)

It was further argued that the French authorities did not accept the loss of Acadia, encouraged Acadian hostility to British rule although the British guaranteed to Acadians the right to practice their religion and treated them fairly as is acknowledged in French historical documents. It was maintained that the British lost patience with the hostile response of the Acadians, instigated by the French priests

"so that in the summer of 1755, 6000 Acadians ... were detained and loaded on to sailing vessels for distribution among the various colonies along the Atlantic seaboard as far south as Louisiana." (21E)

This thesis, argued at length by the New Brunswick Association of English-speaking Canadians, described the unremitting efforts of the Catholic Church and then of the ultra-nationalists to recover Canada and

"to eliminate the contribution of French speakers to the growth of unity and development of our country." (21E).

This particular brief disputed that there were two founding nations but rather argued that the country was founded by successive landings of British soldiers, of Loyalists from the south, of settlers from the British Isles in the 19th century and from various parts of Europe in the 20th century (21E).
Thus

"The early presence of the French and English in Canada seeking their interest in fishing and furs, hardly defines the modern French claim to imagined rights as a 'founding race'. The activity mentioned cannot be equated to physical and mental effort in the land, forest and subsequent mining development, progressively in the time span of the four waves of migration into this country." (21E)

In this manner the notion of two founding nations was rejected by a number of English participants who held that the battle of the Plains of Abraham had settled the question (54E, 256E, 277E, 322E, 361E, 419E and 845E); that Canada is an English country (322E and 571E); that the French are free to return to France (308E); that the Acadians knew on arrival that they were settling in an English territory (775E); and that the French who arrived in 1604 were a mixed group of Catholics and Huguenots (421E). One presenter in commenting on the Report's statements on two founding peoples said

"Canada, including New Brunswick, had at least four founding ethnic groups. When New Brunswick was created, there were substantial numbers of English, Scottish, French and Irish." (512E)

In reply to the question of who arrived after the native people it was argued that pride of place should go to St. Brendan and his Irish monks who landed in Newfoundland in the 9th century. (512E) Another stated that the Loyalists like the Acadians suffered dispossession of their lands and were forced to flee (312E). While yet another said that,

"there were inequities all throughout history in every country",

and added

> "it was not the French minority that built this country, but the English, the Irish and the Scottish, together with the people who came from other countries." (277E)

Another stated that the city of Saint John and the province had been won by the English (330E).

iv. Social Arguments

The arguments here related not so much to the divisive potential of the Report discussed above but rather to the question of the past and present harmony between the two official linguistic communities. Many English presenters employed the term "harmony" to describe the relations between the two communities before the publication of the Report and which they hoped would soon return.

Thus some offered suggestions for better relations:

> "I don't think the two cultures live together in harmony. One solution to the problem would be to promote cultural presentations, events, festivals, literature etc., using both French and English and not one or the other, as is now the case." (313E)

Several briefs regretted the fact of prejudice (29E, 253E, 259E and 470E) and appealed for toleration:

> "Tolerance and moderation are fundamental to the true progress of any political or social jurisdiction". (11E, 39E, 364E, 748E and 855E)

This was the contribution seen for the churches:

> "The Christian Church (could act) as a forum to encourage dialogue to increase and encourage the development of understanding between those whose mother tongue is English or French and who also worship in Church." (613E and 832E)

Others proposed exchange programmes to promote intercommunity friendships (3E, 254E and 572E). The Canadian Legion asked that the government share its ideas on language with its membership drawn from both communities (553E) and supported the distribution in schools of a magazine (Horizon Canada) which promoted the benefits of bilingualism. One brief urged the government to provide fiscal support for a pressure group favouring bilingualism - Canadian Parents for French (470E).

2. French-Language Briefs

The 139 French presenters 77.7% (108) were in total agreement with the Report and 22.3% (31) were in partial support. None rejected the Report. Thus of all participants wholly or partially supporting of the Report, 80.3% were French.

It was not always clear whether a particular argument was employed to support some conclusion of the Report itself or the overall policy of two official languages for New Brunswick. Accordingly, the views are presented in two sets: 1) those dealing solely and directly with the Report, and 2) those incorporating appreciations of the Report and overall language policy.

a. Arguments directed at the Report

The French perceived the Report as a blueprint, fundamental to the achievement of the goal of equality. The presentations rarely dealt with the Report as a whole and then only in discussions of the general principles and objectives and in regard to mechanisms and individual recommendations. It is necessary to read the complete analysis in order to appreciate the overall rationale.

One brief provides an accurate summary of the French response to the adverse English reaction to the Report:

> "It is very distressing that our Anglophone brothers and sisters do not understand that Francophones do not have full rights. When we try to make ourselves heard and to make them understand that we want to be equal, we are treated as separatists. They do not realize they themselves are separatists when they refuse us our rights and our equality." (329F and 501F)

The French presenters revealed, however, that they are anxious to speed the process outlined in the Report and are impatient with the slow progress of recent years. Albeit they are not without patience, they wish an acceleration of the rate of progress. As one brief said, early in the process, in regard to education

> "we should immediately proceed with complete duality in finance, administration, planning and development (in the Department of Education)." (2F)

The impatience of the French participants was a theme in a large number of briefs. The following are a few examples:

> "The government must enact legislation right away to ensure equal rights for Francophones." (213F)

> "It is high time that everyone accepted that this law is truly a reality in our province and that some concrete evidence of its existence was made clear without further delay." (562F)

> "A bill providing for the establishing of structures that would permanently guarantee the respect and harmonious development of the two official language communities is overdue in New Brunswick." (626F)

Some presenters praised the Report and several academics stated that

"the recommendations in the Report are consistent with those proposed by theoreticians and researchers in the field of ethnolinguistics." (0499F)

One French School Board endorsed Part Three of the Report as constituting a viable plan for linguistic vitality (1571F). Another, admitting the outdated nature of the Report's statistics, stated that the conclusions remain valid since the pace of change is quite slow (7541F). And yet another participant expressed his opinion that the Report is based on fact. The attitudinal survey in Chapter Two was said to have reflected what had been said in the media and elsewhere during the process:

"I have the impression that what you may have heard so far during the hearings in many ways confirms the key points in the section on attitudes." (0012F)

One participant found the Report "remarkable" (3259F), while others found it to be both a careful and coherent study of the present situation (1151F, 3631F and 8568F).

By way of reply to the attacks on the limited nature of the attitudinal survey contained in Chapter Two of the Report (77 in-depth interviews) one professor said

"This last method, which is also a scientific method, provides material that is just as valuable, much richer and more subtle than anything that could have been produced using opinion polls with set questions and having the respondent chose from one, two or three preformulated options." (0653F)

This participant referred to a survey of English attitudes toward the French in New Brunswick taken in 1978 as a component of the work of the Pepin-Robarts Commission and observed from that experience that a representative sampling rather than the mode of preselected respondents chosen in the Report,

"would have revealed much more extremist attitudes. judging by the Buchanan study." (0653F)

The French were very much in favour of the mechanisms for implementation recommended by the Report in view of the lack of progress made when the basis was 'good will' (7111F and 7168F). One presenter stated in response to English allegations about reverse discrimination:

It is evident that providing services to the public in both languages requires bilingual employees." (0631F)

The Report was supported by some because it proposed steps to ensure equality between the two groups (7211F).

One presenter argued that failure to implement the Report would lead inevitably to the establishment of linguistic districts (0511F). Others, in reference to a statement by Premier Hatfield, countered that the Report was not out of date and argued that the mechanisms prescribed were indeed relevant in present conditions, (123F, 1651F, 5151F, 7123F, 7541F and 8211F).

Four of the French participants offered critical comment. One, on behalf of a school board, stated that service in French could be provided by bilingual English civil servants (5621F). A second, while agreeing with the general principles of the Report, suggested that good judgment should be used in determining its implementation and that current realities should not be overlooked (7581F). A third noted the aggressive style of the Report (7541F) and the fourth wrote

"the report style tends to present Anglophones as the bad guys and Acadians as the hopeless victims. This style has not helped to encourage mutual understanding of the situation of the two communities." (0120F)

Most of the French presenters supported the consultative process itself and made their appreciation known, for example:

"We are pleased to have been given the opportunity to discuss with you the general issue related to official languages in New Brunswick. We are happy to say that the Report "Towards Equality of Official Languages in New Brunswick" will not remain on the shelves ... it shows us that the government intends to settle the problems created by the adoption of a policy of bilingualism and that it is willing to discuss them ...." (5F)

Others complimented the members on their demeanor and on their proven willingness to listen (1651F, 5161F, 7551F and 7561F).

One French-speaking Member of the Legislative Assembly proceeded to defend the decision of the government to debate such a sensitive issue by means of public hearings (0012F). On the other hand one French participant stated his belief that the process was designed to provoke an English backlash and so impede further progress toward equality (8281F). Two presenters expressed their belief that the process was not succeeding since neither side was listening to the other (1161F and 8531F); and one regretted the lack of compassion in the manifold presentations before the Committee.

A number of briefs discussed the role of the media in the process and one presentation was devoted to that topic. The presenter accused the English media of 'dramatizing reality' by writing about a crisis, by the description of the present situation as polorized around the extremist views on both sides and by playing up the theme that the majority was right to: "deny the need to discuss the equality of official languages at this time."

The writer of that brief, the author of a book on the subject, concluded that the Committee should consider the views of the participants and also the attitudes of the public expressed during the process, particularly as reported in the media, but warned that that image was

"constructed throughout on the model of fiction writing and, again, is a staged representation." (856F)

Other briefs deplored the behaviour of the English media by its misdescriptions of the situation, by its disrespect for the French and for its destructive, rather than constructive, attitudes (510F, 620 and 634F). One presenter added that the

"Anglophone media are more a reflection of radical Anglophones and their ideas than of supposedly moderate Anglophones." (634F)

One brief spoke to the capacity of the media either to increase or to reduce prejudice (625F).

b. Reactions to the Report and Bilingualism

A second grouping of arguments contains those relating to bilingualism and the specific recommendations of the Report on that issue. This group can be subdivided into four distinct categories:

i. Economic Arguments

One presenter, admitting that the Report had merit, observed

"a serious study should be done on the cost of the changes (recommended in the Report). We could then safely proceed in accordance with our ability to pay." (156F)

Two participants asked whether the province can afford not to adopt and implement a renewed language policy (515F and 602F). One French-speaking participant regretted that the present economic difficulties were being blamed on the minority (65F). Two others stated that the immediate costs of implementation of the Report are small compared with the long term social costs of non-implementation (641F and 752F). Other presenters rejected economic restraint as a valid justification for slow progress on language rights, taking the view that rights do not have a price (620F and 859F). Some briefs argued that the French speakers pay taxes too and have done so for a long time without receiving much in return (620F, 859F and 749F). The cost argument was attacked by one presenter because an impression is left that there will never be enough funds to implement bilingualism (707F). Another maintained that insistence on prohibitive costs by the English media leads to the conclusion

"that recognizing the rights of a minority is not a democratic problem but rather a pastime for periods of prosperity." (865F)

Others stated unequivocally that equality does not have a price (509F), that the costs of equality should be seen against the high ranking it should enjoy in the system of priorities, if Acadians have linguistic rights, and that the federal government should contribute to the costs as a matter of national importance.

The French-language briefs challenged the claims of some English-speaking presenters that all civil service jobs were going to the French speakers. They pointed out that the linguistic profile of the civil service clearly contradicts such a claim since French civil servants occupy only one quarter of the positions at senior level (756F). Some explained that it is to be expected that bilingual requirements will be imposed in an officially bilingual province (13F, 515F and 563F) and that affirmative action programmes will be in effect to hire more French-speaking civil servants, provided always that no one loses his position as result of such initiatives (641F). One brief observed that the Report emphasizes language competency over ethnic origin (756F) while another stated that Acadians do not demand that all should be bilingual in New Brunswick (749F). A few presenters argued that the French speakers are still the victims of economic disparities which should be rectified now (114F). Two briefs from the Kedgwick area took the position that linguistic and cultural development depend on economic development (466F and 467F) while one argued that the use of French will only be expanded if it can be used in the work place (750F).

ii. Political and Legal Arguments

One brief offered a quotation to the effect that a society is judged by its treatment of the minorities (859F). Another maintained, following the writings of Toffler, that the 'third wave society' will bring power to the minorities (627F). A number rejected as primitive the notion that the majority rules or that force must prevail and argued for the increasingly civilized approach to minorities' rights (752F).

A number of presenters described the present controversy in terms of a power struggle in which the Acadians were seeking economic control by means such as co-operatives (602F). Thus one participant said that the French-speaking farmers would establish their own association to ensure self-determination (169F). And another participant pointed out that the pressure for duality raises the question of a new division of power (641F). From a global perspective one brief stated that perceptions of a general erosion of power probably explain the English-speaking reactions to the Report (625F). And lastly, a number of presenters castigated the two major political parties for their lack of initiative in the area of language rights (634F and 641F).

iii. Historical Arguments

The French-speaking presenters based their historical analysis firmly on the concept of two founding peoples - the English and the French. This fact of biculturalism preceded the founding of the province itself (515F).

"These two communities, one English-speaking and the other French-speaking, were already present and identifiable when the province was created in 1784 ... although government institutions at the time were designed to fulfill the needs of only one group." (12F)

The concept of two founding nations appeared frequently in briefs discussing equality (841F) and collective rights (114F). Thus equality and linguistic rights are perceived as being based on the history of the country and acceptance of the idea of two founding peoples. Thus

> "In Canada, two groups within the ethnic mosaic are privileged because they are considered to be the country's founding peoples." (853F)

> "At the time of Confederation in 1867 .. the British North America Act recognized the two groups and the two languages. But not equally because English was accepted everywhere and French was only recognized officially by the central and Quebec governments." (853F)

The French version of history differs from the English, thus

> "The first to arrive in America, the Acadians had already found their place in the country's economy when, in 1755, they were brutally cast out ... in 1755, the Acadians were firmly established in the Maritimes and they had begun to trade outside the region." (816F)

And they were

> "also fiercely loyal to the King of England, their sovereign. However, the new province was founded without consulting or inviting them to participate in its creation." (151F)

iv. Social Arguments

Some presenters predisposed to harmony and unity in the province expressed their regret that prejudice and misunderstandings exist and urged the government to remove those by publicizing the achievements of the two communities and clarifying the meaning and purpose of the language laws presently in effect (5F, 61F, 164F, 704F, 816F and 821F). Thus the government should invite the religious leaders to "work towards reconciling New Brunswick's cultural communities" (709F) and so promote friendship. One presenter, by resort to analogy, argued that attitudes will have to change on both sides and that it must be accepted that the alternative to harmony between the groups is social unrest (802F).

3. Bilingual Briefs

All of the briefs under this heading more or less supported the goals of the Official Languages of New Brunswick Act; seven (35%) partially supported the Report, four (20%) partially rejected it and the remainder expressed no opinion.

The New Brunswick Chamber of Commerce stated that it was in favour of legislation supportive of one group but only in so far as it was not detrimental to the other (840B). One brief on behalf of a city spoke against the coercive mechanisms advocated by the Report (505B) while the Moncton Chamber of Commerce recommended setting up an Official Languages Commission (868B). Some criticized the authors of the Report for ignoring the increasing numbers of bilingual Canadians (840B). Another noted that opposition to the Report was strongest amongst older participants (123B). One municipality emphasized the costs of implementation of the Report (505B). One brief noted that the research papers prepared for the attitudinal portion of the Report, chapter two, showed a clear and more sympathetic understanding of the question than did the published version (840B Q).

B. Principles and Objectives of the Report

Under this heading reactions to each of the four major principles and objectives of the Report will be presented.

1. Language of Service

This concept is related only to the language of service in which the institutions of the Government of New Brunswick are legally required to provide their services to citizens of the province. Therefore briefs which dealt with the language of services from other institutions such as municipalities are examined in a later section.

A total of 435 briefs took a position on this question both directly and indirectly and 77 expressed no relevant opinion.

Of these 435 briefs, some 329 (75.6%) supported the idea of services in the language of the customer and 106 (24.4%) were against. Of the 329 in favour, 182 (55.3%) were French-language, 131 (39.8%) were English-language and 16 (4.9%) were bilingual briefs. All French-language and bilingual briefs which dealt with this aspect agreed with the principle while 55.3% of English-language briefs spoke in support of providing services of government institutions in the language of the recipient. Groups, as opposed to individuals, presented 202 (61.4%) of the briefs submitted by groups.

The 106 briefs in opposition came from the English-speaking community. Of that latter number, 70 were utterly opposed to bilingualism while 12, albeit expressing their opposition to bilingualism overall, accepted the notion of some services of government in French. However, amongst those supporting the principle, there was a range of opinions which varied according to whether they were English-speaking, French-speaking or bilingual.

a. English-Language Briefs

One hundred and thirty-one (55.3%) of the English-language briefs supported the principle of services in the language of the citizen, while 106 (44.7%) expressed their opposition. Some of the English-speaking presenters said that the services in each language should be of equal or near equal quality:

> "All citizens, regardless of which of the two languages they speak, should be served equally by the government they pay their taxes to." (9E Q)

"We are in perfect accord with the ideal that every person in New Brunswick is entitled to be served in his or her own language." (357E)

"The policy should strive to ensure that all citizens receive services of more or less equal quality in the two official languages. Delays in service can be reduced but not caused to disappear." (204E)

Other presenters argued that where the general public is bilingual civil servants serving that group must speak or learn the other language (37E and 206E). Some, while conceding the need to provide services in both official languages, held that not all civil servants should be bilingual (254E, 285E and 108E). A number of participants stated that equality of services already exists (201E, 359E and 812E) and deny that there are any real problems for the French in receiving services of equal quality (466E Q). On the other hand a number complained of the inadequacy of services in English in their area (466E) and of the fact that any calls to the Central Office were met with a response in French (359E and 368E).

Several participants supported the principle of services in both languages but believed that services could properly be provided by means of translation especially when demand was limited (611E and 306E). Others who wanted to wait for the gradual evolution of a bilingual civil service enriched by bilingual graduates of the school system suggested that in the meantime

"temporary measures should be used while waiting until a sufficient number of graduates from our schools can join the work force"

which measures would include translation and interpretation (15E and 413E).

Others proposed that services could be made available by employing at least one bilingual civil servant in each office thereby endorsing the notion of intermediaries between the citizen and the specific civil servant competent to provide the service (108E Q). Other presenters referred to different levels of bilingual capacity in relation to the office held; thus the linguistic capacity of a secretary would differ from that of the civil servant providing the specific service (32E Q).

A few participants said that the right to service in French should be recognized only for unilingual French-speaking citizens since the majority of the French in the province can speak English (414E). Others proposed the limitation of services in both languages to certain departments and essential services (6E, 213E, 551E and 516E).

"French speakers do have the right to be served in their own language where reasonable and possible in the judiciary system, health care and emergency services, safety instructions in the work place and collective agreements." (6E)

It was accepted by many that the unequal distribution of the two groups means that equal services cannot be provided in some regions. Thus some argued that services should be made available where numbers justify (304E and 565E) and many stated that neither group should expect equal services in areas in which the other group is predominant (6E, 25E, 27E, 30E, 351E, 366E, 405E and 715E).

One participant, referring to section 20(2) of the Charter of Rights and Freedoms, added that this provision literally requires that everyone has the right to ask to be served in English or French by any institution of government anywhere in the province, but he hoped a more reasonable interpretation would be applied to the province (302E). Some reiterated that the English should not expect services in predominantly French-speaking regions and vice-versa since services in both languages could not be provided in every corner of New Brunswick (364E). However a number of English speakers were in agreement that services should be available at the Central Office (351E and 406E) and some would go further:

"Yes, we agree that all New Brunswickers should be able to receive services from government agencies in the language of their choice." (604E Q)

Some briefs opposed to overall bilingualism nevertheless conceded that some services in French should be offered in regions which are predominantly French-speaking (277E, 289E and 414E). One such brief suggested that services should be made available in French through a centralized service (358E).

Lastly, those English-language briefs advocating the gradual implementation of bilingualism in step with the output of the educational system went on to argue that no position should be designated bilingual until all of the young people of the province had had the opportunity to learn the other language.

b. French-Language Briefs

Overall the French speakers asked for services of equal quality in French, without an intermediary or translation and rid of logistical delays.

The goals of the Official Languages of New Brunswick Act and the Act Recognizing The Equality Of The Two Official Communities ("Bill 88")

"can be summarized in just a few words: providing the citizens of this province with services of equal quality in the language of their choice." (605F)

"*direct services of equal quality* in one's own language should be fundamental in a province which claims to be officially bilingual .. the use of translation should be banned because, besides the inevitable delays, it is frustrating not to be served directly in one's own language." (611F)

Some of the participants emphasized the importance of the Charter of Rights and Freedoms (702F) or argued that equality excludes both delay and translation (610F, 618F and 659F); two school boards complained that many government documents are poorly written or translated, and wanted documents of equal quality (10F

and 556F). This last complaint was made a number of times and substantiated by specific examples. Most French-language briefs asked that all government departments should provide services in both official languages (456F, 601F, 610F, 630F and 705F). Others suggested that the departments make clear what language services are available and where (287F and 846F); all thought it logical that the Central Office should provide all services in both official languages.

The brief presented by the Association of Graduates of the Department of Translation and Interpretation of the University of Moncton registered the professional view that translation and interpretation, no matter how excellent the quality, involves the intrusion of an intermediary:

> It is not unusual for a request written in French and sent by letter to a unilingual English-speaking civil servant to be sent to translation, then sent back to the employee several days later, who then writes his reply in English, sends it back to translation, receives it back after another few days, until finally the reply is sent off to its destination. We think this type of administrative practice is approaching the ridiculous and should be abandoned. The same reasoning applies to similar practices involving interpretation services" (815F)

Thus professionals in the field believe that in a province where both official language groups have the right to services in their own language, reliance on translation and interpretation services cannot be justified in dealings with citizens (815F).

One expert in communication argued:

> "Language equality cannot exist in New Brunswick ... unless there is an information/communications policy governing French services in the province administered by French speakers within the provincial government." (808F)

That same presenter condemned the amateurish quality of information exchange and communications within government, complained of the poor quality of the written and spoken language and the use of cultural, ideological and administrative frames of reference that are alien to French speakers.

Thus because of,

> "the overwhelming English-speaking majority in the civil service, French-speaking employees are essential to relations between those who govern and those who are governed."

And the presenter went on to recommend

> "adopting a policy for the systematic hiring of French-speaking professionals with at least a bachelor's degree in information and communications, to ensure that the needs of the French-speaking population are met." (808F)

The Society of Acadian writers spoke in support of services in the language of the citizen but objected to any form of 'bilingualism' which condemned Acadians to linguistic colonization, explaining that

> "the language which moulds us .. cannot be the language of others, .. or a 'calque' or translated form or hesitant version of our language." (751F)

French-speaking presenters argued that the present reality is one of the importance rather than the equality of services in both official languages (618F, 619F, 625F and 644F). One group of farmers gave as an example the recommendations of the Department of Agriculture on the varieties of seed to use which arrived after the end of the planting season, due to delays in translation (116F).

All agreed however that some sensible, geographical limits should be set to the right to services in both official languages because of the unequal distribution of the two linguistic groups in the province. That is, it was agreed that regions having significant numbers of both linguistic communities and the central offices in Fredericton should be able to provide equal services in both languages. However a number argued that no one should expect services of equal quality in areas where one or the other group is predominant (711F). On the other hand, some argued that all citizens should be able to receive equal services, and that

> "the province cannot call itself bilingual until every Francophone can make himself understood and receive services in his language everywhere in the province." (161F)

In short, French speakers want to be able to receive government services in their language, if not immediately, then in the near future.

c. Bilingual Briefs

Most of the bilingual briefs accepted the concept of equal services in the language of the client although some felt that translation would suffice in certain circumstances:

> "We fully agree that the Official Languages Act of New Brunswick must deal with the problem of the quality of services and decide on the means of ensuring that all citizens receive services of equal quality in both languages." (817B)

Conclusion

To summarize the views of the three groups, English-speaking, French-speaking and bilingual it can be said that all three support the following:

1. The provision of services of equal quality in both official languages;

2. All provincial government departments and agencies should provide such services;

3. These services must be provided centrally and regionally though the quality of services provided at regional level can vary according to the linguistic makeup of the particular region.

The groups do not agree on the timetable for implementation and in particular the French speakers aim for a period considerably shorter than that contemplated by the English.

2. Language of Work

This principle and objective recognizes the right of civil servants to work in their own language in the institutions of the government of the province. A total of 376 briefs (73.6%) offered an opinion on this subject of which 191 (50.8%) spoke against it and 185 (49.2%) gave their support to it.

The presenters arguing in favour of the concept were predominantly French-speaking (156 briefs, 84.3%); 25 (13.5%) were English-speaking and another four (2.2%) were bilingual. Groups, as opposed to individuals, accounted for 65.9% (122) of these presentations. The briefs opposed to the notion were all English-speaking, and 43 (22.5%) were presented by groups.

All of the French speakers expressing a view on this principle (75% of all French-language briefs presented) spoke in favour of its acceptance, while only 11.9% of the English speakers who offered an opinion spoke positively about it (68.4% of all English briefs addressed this issue).

a. English-Language Briefs

88.9% of the English participants were opposed to the idea of the right to work in one's own language. They argued for one working language on the basis of efficiency, unity and avoidance of confusion and on the fact that English is the universal language of business and communications. They said that two working languages are too expensive and further that in a tight economy people should be happy to have a job and not worry about language questions. Some of the opinions included

> "For reasons of economy and unity, one working language, English, should be encouraged and adopted." (280E)

> "Attempts to promote French artificially as a working language of government .. would impede free and open communication outside the province and promote unhealthy inward-looking attitudes detrimental to economic development and efficient administration." (27E)

> "I think that one working language is sufficient in a province where 90% of the people speak English. English is the working language of the world." (52E and 211E)

> "Any effort (to introduce two working languages) will only bring frustration and conflict." (406E)

> "Adopting French as a working language in the civil service .. is equivalent to financial suicide." (415E)

> "If you want to work at a job, you must take whatever's available and work in the language of that job." (358E)

One presenter in response to the question whether or not he was in favour of adopting French as a language of work, replied that any citizen should feel lucky just to have employment (553E Q). Another speaker said he

> "did not understand these claims that one needs to work in his own language even if one is in the midst of a community that mainly speaks the other language."

and he added,

> "I find it hard to believe that French speakers working in the same office, even in Fredericton, do not communicate in French." (29E)

One presenter said that he could accept the idea of people working in their own language so long as they could speak both official languages (15E). A number agreed that a professionally competent unilingual French speaker should be able to work in his language (353E and 412E) but that this should extend mainly to offices in French-speaking regions (357E, 407E and 408E). Those who did support the idea nevertheless imposed several conditions on its implementation:

> "The working language in the civil service should be the employee's choice with equal use of both languages where numbers justify it." (512E)

> "We believe that it is not feasible to suggest that one can universally guarantee the possibility of working exclusively in the official language of one's choice." (204E)

b. French-Language Briefs

The French speakers unanimously adopted the notion of working in one's own language as being a basic right and one which was essential to combat assimilation and to the development of French as an everyday working language.

One lawyer-presenter relied on Section 16(2) of the Constitution which established the equal status, rights and privileges of the use of the two official languages in the institutions of the Legislature and government of New Brunswick but said that this was yet to be made a reality, and added

> "The constitutional use of language means being able to work in French. If not, it's a farce." (101F Q)

Examples of other opinions follow:

> "Every citizen of New Brunswick should have the option of working in his language ... only too

often, Francophones feel obligated to work in English to obtain services more quickly." (118F)

In the work place .. people forced to speak English to make themselves understood see their ability to speak their mother tongue decrease progressively." (457F)

"When a child .. decides to attend an institute of higher learning in his language, he or she must be able to work in his language. The government must ensure that services and agencies under its jurisdiction offer this chance to all their employees." (705F)

"So far, the government has not tried to establish mechanisms to guarantee the French population the same right to work in their mother tongue after they have finished school." (716F)

"New Brunswick can no longer be permitted to continue devaluing the French language in the work place after it has offered so much encouragement to French education." (803F)

One private corporation, speaking in support of the notion, proposed certain limits:

"We must try to work in the language of our choice as much as possible and work together to bring the day when we can work totally in the language of our choice." (805F Q)

Many briefs, however, argued that it was in fact almost impossible to work in French:

"Living in an English-speaking environment (Fredericton), the working language, even in departments that are French, is English." (632F)

c. Bilingual Briefs

Four bilingual presenters discussed and accepted this idea. For example the city of Edmundston, specifically endorsing the ninth recommendation of the Task Force Report added that it would be a positive step toward

"achieving the objectives of New Brunswick's official languages policy." (1061I)

The New Brunswick Federation of Labour said that the Official Languages of New Brunswick Act should set out the means of reaching the goal of bilingualism, including

"the right of civil servants to work in their own language." (617II)

Conclusion

In short then, all of the French speakers but only a few of the English-speaking presenters supported the idea of a right to work in one's own language in the public service.

3. Equitable Representation

This principle and objective seeks to ensure that the two linguistic communities enjoy equitable representation in the provincial civil service.

Of the 348 briefs (68%) which expressed an opinion on this idea, 184 (52.9%) were opposed and 164 (47.1%) spoke in favour giving a roughly equal distribution.

The briefs opposed to the idea were submitted by English-speaking participants along with one French-speaking presenter. They were presented by 41 groups thus making up 22,3% of the opposed opinions.

Supporting the principle and objective were 127 (77.4%) French-language briefs, 34 (20.7%) English-language briefs and 3 (1.8%) bilingual presentations. Briefs from 121 (73.8%) groups or organizations were in support of the principle.

In short, 99.2% of the French-speaking presenters and 15.7% of the English speakers who expressed an opinion supported this principle.

a. English-Language Briefs

The English-speaking presenters who discussed this issue expressed opposition (84.4%) on the grounds of possible reverse discrimination and because they believed that competence alone should determine recruitment of personnel. They did not agree that any particular group should have a claim to a general percentage of positions within the civil service. They spoke also of the high costs of implementation of equitable representation. Following are samples of these opinions:

"None of us is constitutionally guaranteed the right to a job in the civil service. Merit should be the job requirement in the civil service." (402E)

"Hiring by quota in the civil service on the basis of ethnic origin must be rejected completely. This would be racist, would contravene the Charter of Rights and would encourage hiring rights and quotas for all ethnic groups in New Brunswick." (512E)

"What we object to is the proposal that suggests that groups have a right to part of our public institutions as groups." (3E Q)

Some of the arguments against equitable representation included

"First ... just the cost of doing it and, second, the possibility that cases of reverse discrimination could occur, consciously or not." (11E Q)

"Giving 35% of civil service jobs to French speakers, I can't accept that. It could be 40% ... you can't put a figure on it. Also, you can't identify people as English or French, especially in this region (Dalhousie)." (470E Q)

Others, understanding equitable representation as equal representation, spoke in opposition:

> "It is unrealistic to demand equal representation in the civil service when the population ratio is around 65/35. No one denies that the present situation needs improvement but we firmly believe that if the government wants to be efficient, then competence in both languages and the ability to meet job requirements should be the basic requirements, not ethnic origin." (564E)

One presenter said that it would be simply unacceptable to one language group to have the civil service made up of competent, fluently bilingual personnel of the other group (351E Q).

Most of the briefs which sought to define equitable representation attempted to do so in terms of the present makeup of the population of New Brunswick (351E, 357E and 564E).

> "We should have equitable representation. I understand that the French-speaking population of the province is approximately 32% at present and, consequently 68% English-speaking.
>
> "I think that if most government departments maintained this level of participation for both groups then they would be satisfied." (202E Q)

The ratio mentioned most often was 65/35 (156E). Some agreed with the principle but suggested that fairness rather than numbers determine the degree of representation (844E Q).

> "(In order to treat all citizens equitably and to create harmony), it is essential that all factions be represented in this province and that everyone realize that they are represented." (410E)

Equitable representation was seen to be acceptable "not because there must be as much of "A" as of "B" " but because

> "We need managers who understand the clientele or the policies of the province." (254E Q)

A number thought that attrition would contribute to the achievement of this objective. (406E)

Several English-speaking presenters wondered whether it was necessary to do anything since they believed equitable representation was a fact at this time. (271E and 811E).

b. French-Language Briefs

The French-speaking participants based their arguments mainly on the equality of status guaranteed by law and on the necessity of having civil servants who understand the needs and aspirations of both communities:

> "I too have heard English speakers express fears when there is talk about a civil service with an essentially proportional representation of the linguistic or ethnic breakdown of the population. For me, it's as though I were opposed to positive action programmes for women because, for a certain period of time, women will have access to jobs which would otherwise have been available to men. This would be denying that we must compromise if we are to have equality." (820F)
>
> "It is also important to have people within the government apparatus who can understand regional aspirations and priorities.
>
> "The government services distribution network must also, as the Report says, reflect the geographic distribution of the two communities." (602F)
>
> "If the intention is for the government apparatus to adapt to and serve the population adequately, then the people who work there will have to be familiar with the area." (111F)

Several briefs argued that equitable representation is particularly necessary at the senior management level (16E, 601F and 616F). Another raised the issue of economic equity and the assessment of the total loss of earnings to the French-speaking community:

> "The under-representation of French speakers in the civil service will cost more than 8 million dollars this year (1984-85)." (114F)

Most of the French-speaking presenters argued that legislation was required to ensure equitable representation, that a clear timetable should be established for its accomplishment (13F and 502F) and that quotas should be set (114F). It was generally agreed that the ratio for determining equitable representation mirror that of the two communities in the province (12F). Specific figures used were 65/35 and 67/33 (161F).

c. Bilingual Briefs

Three bilingual briefs discussed this principle and objective and supported its implementation. The New Brunswick Chamber of Commerce thought it indisputable that

> "the number of positions filled by Anglophones is higher than their proportional representation in the population." (840B)

The Federation of Labour argued that the Official Languages of New Brunswick Act should define the means to achieve

> "equitable representation of the two linguistic communities in the civil service." (817B)

4. Regional Identity

This principle and objective is designed to recognize the regional identity of the linguistic communities and the need for the provincial government's administrative structures to reflect the geographic distribution of the two communities.

This idea did not attract the same level of comment as the preceding principles and objectives but the views expressed were unequivocal. As earlier, those briefs which supported the Report of the Task Force, "Towards Equality of the Two Official Languages in New Brunswick", or its principles were classified as supporting this particular objective; those rejecting the concept of bilingualism, absolutely or by implication, or opposing the Report of the Task Force were classified as rejecting this objective.

Because the concept of regional identity is closely related to the proposed mode of implementation - regionalization - opinions usually were directed to both notions. The material on regionalization below should be read together with this section to gain a full understanding of the responses of the people of the province.

A total of 337 briefs (65.8%) expressed an opinion on the concept of regional identity. Of these, 190 (56.4%) were opposed and 147 (43.6%) were supportive.

The briefs opposed to the concept were presented by members of the English-speaking community, and 47 of these were presented by groups (i.e. 24,6% of those opposed). In support of the objective, 132 were submitted by French-speaking participants (89.1% of the French-language briefs) and 15 (10.9%) were submitted by English-speaking presenters. Groups presented 104 (70.7%) of these briefs.

In summary, a clear majority of the participants rejected the concept and the views of the two communities were most clearly demarcated - that is, all of the French-speaking presenters spoke in favour of regional identity while 90% of the English-speaking participants spoke against the idea.

a. English-Language Briefs

The English-speaking presenters opposed the objective on the basis of potential division (553E and 559E) and of cost (259E). One English-language school board argued at length against the creation of English-language sub-regions within French-speaking administrative areas since it would increase the possibility

> "of assimilating a considerable number of English speakers". (259E)

That presenter continued:

> "In no case can it be said that there is a significant language majority to justify using one language rather than another"

since the French speakers make up 59% of the people in the north east, 52% in the north west and 42% in the south east. The speaker concluded that regional identity is

> "unnecessary and unjustifiable and would establish isolation zones, a every divisive gesture in adjacent regions where business, social or work relations occur on a daily basis"

and

> "a cause for grave concern is the fantastic cost of the local government it proposes." (259E)

One English-speaking municipality criticized regional identity for promoting the development of the two linguistic communities but overlooking

> "the promotion and development of bilingualism in these communities." (201E)

A multinational corporation recognized that

> "the policy should, within practical limits, recognize the regional identity of the linguistic communities. However, ... we believe that more importance should be placed on developing and enhancing the growth of a stronger bilingual community in New Brunswick." (204E)

One group supported the concept but expressed a preference for a bilingual designation for all regions (619E).

A number spoke in favour of regional identity because their own area was predominantly English-speaking and so would be exempt from linguistic responsibilities to the other group (27E, 356E, 357E and 764E). Another group stated that the recognition of English-speaking and French-speaking regions was 'fundamental' (362E).

b. French-Language Briefs

The French-speaking participants argued for the need to respect the linguistic and cultural identity of the various regions:

> "Recognizing the regional identity of the cultural communities ... is central to the whole process of sociocultural reorganization." (104F and 117F)

A local Chamber of Commerce recommended

> "... that the government identify the regions ... as being French-speaking, English-speaking or bilingual." (116F)

a view supported by two other organizations.

A number of presenters pointed out the lack of consistency in the signage policy and particularly in bilingual regions (160F and 161F).

One speaker responding to a question on the matter of signs said

> "Provincial government intervention is particularly needed in the so-called bilingual regions. The provincial government should intervene and provide very precise guidelines on this matter." (160FQ)

and so to ensure conformity and respect for regional identities. Another brief which included a study of place-names in School District 7 (Tracadie) concluded that

"regional identity is not respected in our region ... most roadsigns are in English, which creates a false picture of our region's Francophone and Acadian reality." (619F)

That speaker categorized the province's terminological committee as ineffectual and recommended

"the establishing of a provincial place-name Commission structured along the principle of duality." (619F)

Two groups from Restigouche made identical recommendations. One gave examples of the anglicization of French place-names in predominantly French-speaking areas (467F and 468F) and asked that a place-name Commission

"be made up of experts in linguistics, terminology, history, geography and related sciences." (468F)

One of these briefs stated that

"Signs that reflect us would be beneficial to everyone. The people from the region could be proud of 'their place' and tourists wanting to visit a French-speaking and Acadian area would not think that they were strolling the streets of Fredericton." (468F)

Most of the briefs presented in Shippagan asked that the Acadian Peninsula be recognized as culturally and economically distinct and that an administrative region be established accordingly (605F, 608F, 610F, 619F and 635F).

"It is natural for a region to reflect the characteristics of the people who live there. Only too often, French-speaking regions have had mainly, even exclusively, English signs and place-names imposed on them." (611F)

While the recognition of French-speaking and English-speaking regions was seen by one presenter as fundamental nevertheless he argued that

"a minimum of services in both official languages must be ensured everywhere in the province in order to respect the identity of the people being served in every administrative region." (502F)

A group of French-speaking students complained of the inequality inherent in the inconsistent policies with regard to roadsigns and place-names. They recommended the use of

"international signs, i.e. symbols. When words must be used, the same text and letter size should be used in both languages to avoid one language dominating the other." (702F)

In addition they said

"that civil servants use, at all times and in all materials, the names of places and rivers without anglicizing or gallicizing them." (702F)

Another brief pointed out that one county in the province has a name that refers to the Acadians (Saint John), two have Indian names and 13 are of British origin (611F).

C. Mechanisms Proposed in the Report

The Report recommended two mechanisms — duality and regionalization — to achieve the proposed objectives.

1. Duality

The analysis below examines opinions on duality, excluding the experience of the Department of Education which will be dealt with in the section on education. Consequently, briefs supporting duality but only in education are classified as opposed to duality overall.

The authors of the Report, after rejecting parallel structures, linguistic quotas, the designation of bilingual positions and institutional bilingualism, (which is the system currently in force) recommended reorganizing civil servants into homogeneous French-speaking and English-speaking components. Coordination and the development of common policies would, ideally, be the responsibility of bilingual employees. The writers designated this approach 'duality' (recommendation 81).

This recommendation of the Report provoked the strongest debate and was interpreted in many different ways. Opinions were expressed in 385 briefs which make up 75.2% of all briefs submitted. Of that number some 243 (63.1%) were opposed while 142 (36.9%) supported the concept.

Those opposing the idea comprised 231 English-language briefs (95%), nine bilingual (3.7%) and three French-language (1.2%) and included 81 (33.3%) presentations on behalf of groups . Those in favour included 132 (93%) French-language briefs, nine (6.3%) English-language and one bilingual (0.7%). Duality was supported by 103 groups (72.5%).

Of all the concepts examined to this point, duality reveals the widest gap between those in favour and those opposed (26.2%). Also this idea provoked the largest response amongst the bilingual presentations (50% of them), almost all opposed. In addition, the division between English-language and French-language responses is seen at its greatest in the reactions to duality: 96% of the English speakers were opposed while 97.8% of the French were in favour.

a. English-Language Briefs

The English speakers justified their rejection of duality on the basis of cost, isolationism and divisiveness. They thought duality to be impossible, unachievable, unnecessary and to be the antithesis of bilingualism.

One brief closely scrutinized the Report's analysis of other options and criticized the authors for not examining them carefully enough. The presenter rejected duality

"as a watered-down version of parallel structures that would lead to division and that is just as costly"

and suggested

"building on what already exists, using a combination of options based on the selective and sensible identification of bilingual positions and linguistic quotas for French speakers" (204E).

Other opinions went as follows:

"Why consider duality as an option when the final goal is bilingualism? What a cause for frustration and dissatisfaction for employees caught in such a system. What additional costs can New Brunswick afford? (28E and 746E)

"Duality is one step before "territorialism" which is itself the foetus of separation and division in the fields." (512E)

"We dispute the validity of the claim that (duality) does not involve the duplication of services. Our experience shows that establishing new school districts increases the number of superintendents (10 more)." (387E)

"We don't believe that the duality concept is the answer to the problem ... much progress has been made in providing services to the French minority since (the Official Languages Act)." (556E)

"The fundamental problem with the duality concept is the philosophy it's based on — ethnocentrism. In New Brunswick, this philosophy implies that Francophones and Anglophones do not understand each other, and that, consequently, they should have their own department to deal with their own people. English speakers who fought for bilingualism in 1969 and who have enrolled their children in French immersion feel betrayed." (822E)

"... after 40 years in the military, one of the most fundamental lessons we have learned is not to divide up the command." (364E Q)

"This isn't a principle that I reject, it's just the enormous cost we would have to absorb because of it (duality)." (356E Q)

"Duality ... by definition is the cause of division. It will divide our province so that we are separated into two camps."(154E)

One participant opposed duality and suggested that the solution to the problem would be to have Anglophones learn French, which would be to the advantage of Acadians because it

"would ensure an increasing number of New Brunswickers who speak French and who will always be sympathetic to Acadian goals. Increasing the number of French speakers would make things like a French-language daily more viable because there would be more potential readers." (826E)

Some of the English speakers (9), however, supported the principle because

"It might now be the only way to achieve equality within a reasonable length of time"

One English-speaking presenter, utterly opposed to bilingualism, nevertheless supported duality (23E Q)

"because it could be the real solution, then we could keep our language and culture among ourselves (English speakers)." (473E)

Some, while agreeing with duality in principle, added that it must be carefully studied so it can take into account the province's financial means (362E) and avoid any danger of division (363E).

b. French-Language Briefs

The French-speaking presenters perceived duality as a means of underpinning the right to language of work, of encouraging greater French-speaking input into policy making, of giving the French speakers the opportunity of managing their own affairs and of increasing the bilingual capacity of government. In short, duality was seen as the way to ensure that equality will be achieved:

"Duality could ensure institutional bilingualism and the delivery of services in the two languages directly, while still allowing individuals to work in the language of their choice." (12F)

"We see in the form of duality recommended the effective way of ensuring equality for the two founding peoples in the long term and the harmonious development of the province of New Brunswick as a whole." (803F)

"Duality ... seems to me to be the perfect solution for encouraging growth and development of the two linguistic groups." (480F)

"Although we support the principle of duality, we envisage it on a linguistic not on an ethnic basis: that is, the person who has command of the languages can work in one or other of the linguistic work units regardless of his origins." (821F)

"The English sector (referring to foot racing) eventually realized that we were not participating, that we did not have the same goals and that if they wanted things to work, there was no choice but for each group to establish their own association (813F).

One brief supported duality but underlined that the federal programme of homogenous work units had been a failure. (837F)

The presenters referred most often to the system of duality in the Department of Education as a desirable model to follow (608F, 613F and 711F), and sometimes to the experience of the Teachers Federation (160F and 507F) which was itself characterized by several teachers' organizations as a happy example of duality in operation. (5F) Several indicated that duality was an idea dear to the hearts of Acadians and they would be loath to abandon it:

> "They speak and dream of duality. Duality is already with us and cannot be removed." (617F)

> "The establishment of homogenous institutions is constantly requested by French speakers and it would be presumptuous to ignore it." (611F)

> "In sports, agriculture, fishing and education, Acadians have devised their own structures, and similar steps are being taken by such groups as professional associations and municipalities. The proposed duality is rooted in fact -- the government should fall into step and follow the movement." (12F)

Several briefs described their own experiences with duality and its benefits:

> "At the school trustee level, we have our own association that studies problems that interest French speakers. I think that the English-language and French-language education philosophies are different ... each association deals with areas it finds interesting." (2F)

> "Before the Association des enseignants francophones du Nouveau-Brunswick, which some called separatist, was founded, discussions within the teaching profession focused mainly on language issues. After the creation of the Association des enseignants francophones du Nouveau-Brunswick and the New Brunswick Teachers' Association, language issues were replaced by professional concerns." (5F)

> "The Fédération des Caisses Populaires Acadiennes began to play a role in 1946, after it separated from the Brunswick Credit Union Federation, which, up until then, included both ethnic groups whose aspirations and growth were incompatible..Today, who would dare deny the significant contribution that this movement, created by Acadians for Acadians, has made to the edification of our province." (611F)

Some wanted duality applied throughout government (2F, 10F, 160F, 161F, 452F, 465F, 556F, 711F, 857F); others thought it should be established only in those departments that come into direct contact with the public (608F), or in sectors that are the most important to the French-speaking community (803F), in departments with social or cultural responsibilities (515F, 615F, 836F), in certain departments (708F) such as health (464F), fisheries (515F), justice and social services (465F). One brief recommended duality for the Department of Historical and Cultural Ressources and for departments dealing with tourism, commerce, industry and services (462F). One brief argued for realistic dualism (708F) while another thought it should be applied to the political system

> "with proportional representation among MLA's." (826F)

One participant, after a long and detailed analysis of the electoral process from 1870 to 1982, concluded that politics should not be exempt from the Committee's recommendations:

> "The idea of electoral duality should be considered and studied .... Duality should be more than a superficial solution. Presenting global solutions that do not include politics means the work is incomplete." (714F)

The three French-language briefs rejecting duality were submitted by municipalities in support of the brief presented by the city of Edmundston. They considered duality outside of the Department of Education not to be feasible.

c. Bilingual Briefs

Nine of the 10 bilingual briefs expressing an opinion on duality were opposed to it for the same reasons as the English-speaking presenters. The ethnocentrism of duality was attacked.

> "The principle of duality clearly envisages the separation and isolation of the two linguistic and cultural groups in the provincial government, in the delivery of public services and, obviously, in the last analysis, in the daily life of our fellow citizens .... Duality does not encourage bilingualism nor does it promote compromise, communication or understanding between the two major cultural groups." (505B)

Some believed duality not to be feasible:

> "Duality outside education is not possible." (108B Q)

It was perceived as being isolationist:

> "I am obviously against duplication and isolation and, consequently, duality as it exists in education does not generate mutual respect." (123B)

One municipality accepted duality in some government departments, but not at the municipal level because

> "what can be considered practical in education, social services or other provincial services for the people is not practical for municipal governments." (451B)

2. Regionalization

The Report, "Towards Equality of Official Languages in New Brunswick" does not define the term 'regionalization'. We can, however, identify the four elements that comprise the corner stones of regional-

ization: (i) recognition of regional identity; (ii) the need to preserve the linguistic homogeneity of French regions; (iii) the simplification of administrative maps, ensuring their compatibility with the characteristics of the clientele served; and (iv) the devolution of some provincial administrations towards predominantly French regions.

Although there were relatively fewer formal opinions expressed on regionalization, if these are added to the briefs supporting or rejecting the entire Report along with those opposed to bilingualism, then 334 briefs offered, directly or otherwise, an opinion on regionalization. As such, 201 (60.2%) were opposed and 133 (39.8%) were in favour. Opinions expressed by the two communities were divided -- 92.5% of briefs in favour of regionalization were submitted by French-speaking presenters (and 7.5% by English-speaking participants). Conversely, 98.5% of briefs opposed to regionalization were submitted by English speakers while two bilingual briefs and one French-language brief spoke negatively. Groups accounted for 61.7% of favourable opinions and 30.3% of unfavourable opinions.

Therefore, 99.2% of French speakers who expressed an opinion were in favour of regionalization and 96.2% of English speakers and the two bilingual briefs were opposed.

a. English-Language Briefs

English-speaking presenters based their opposition to regionalization on three main arguments: i) the need to maintain centralized services to avoid high costs and scattered services; ii) rejection of linguistic criteria in the establishment of regions and, iii) the division that regionalization might promote.

Some members of the English-speaking community saw the proposed devolution as an attempt to decentralize and to transfer political and budgetary authority:

> "Where I don't agree with proponents of regionalization is in their overt desire to consider regionalization as the best alternative to almost complete division ... this means that if it's not practical to establish a separate Acadian province or French-speaking province, then, at least, the maximum amount of authority possible can be transferred to these districts where it would not only be a question of administration but also, probably, of political development ..., you speak here of some sort of federation ... of transferring the political and budgetary control centres." (382E)

> "The report mentions decentralizing government departments, and I don't agree with that. New Brunswick is not a big province and a centralized government is very manageable." (416E)

> "In a province as small and as little populated as New Brunswick, recommendation 1(b), on page 450, (on devolution) is inconsistent with effective management." (421E)

> "Because ... of the difficulty in delivering services from decentralized locations and the impact on government employees and their families, we recommend that the provincial government reject the task force's proposal on decentralizing government departments ... moving government offices and employees, by creating new equipment, maintaining empty offices and other related activities, will be costly and the cost of implementing such a policy must, in the final analysis, be assumed by the taxpayers." (19E)

> "It's good to have all services in one location." (352E)

Others objected to defining regions on the basis of linguistic criteria:

> "We, from the Miramichi, fought for the recognition of our regional identity, not for linguistic reasons but for economic ones." (551E)

> "Setting up regional offices based on the language of the majority of a region does not satisfy the normal needs of the region as a whole." (259E)

> "If New Brunswick is divided up according to linguistic preference, the coordination, regulation and administration activities guaranteed by the government might drain its energy." (840B)

Others thought that regionalization would foster division.

> "Duality, regionalism and Acadian regions, if adopted as proposed, would serve only to divide rather than unite." (575E)

> "The implementation and cost of a policy for two distinct regions in addition to the resulting animosity towards government restrictions will certainly contribute to widening the gap between the two linguistic groups .... The decentralization policy leads to diversification. Although it is positive in some ways, it enables lobby groups to block progress more easily." (840B)

> "By insisting on regionalization or territoriality, there is a real danger of dividing this province further .... Recommending that the decentralization of some government departments be carried out only in Francophone regions is also seen as a divisive gesture that would create greater problems than the ones that now exist." (20E)

Some English-speaking participants said that they favoured regionalization so long as it applied to English-speaking regions (356E, 359E, 362E) with protections for the minorities living in the regions (162E).

Some briefs agreed with regionalization provided it is economically feasible (204E) or that its purpose is to create jobs in a region (551E). This last brief argued that the Maritime Forestry School should have been located in Northumberland County. Another brief, presented in St. Andrews, thought the concept would be interesting

"if communications with any given region were instantaneous. (351E-Q)

Another pointed out that the territory assigned to English industrial commissions is larger with the result that

"the Francophone regions are better represented than the Anglophone regions." (356E)

A third brief, while saying that it agreed with the idea of English-speaking and French-speaking regions, recommended that the boundaries not be too rigidly defined (362E).

b. French-Language Briefs

One brief summarized the arguments supporting regionalization, which the presenter defined as administrative decentralization:

"Administrative decentralization would facilitate the integration of Acadians into the civil service ... would better distribute human resources geographically ... (would make civil servants) better able to assess regional needs because they would be living in the regions (and would give Acadians) more control over their affairs." (167F)

Some briefs described regionalization as linking regional homogeneity with decision-making and the capacity to develop policy. They argued not only for devolution but also for true decentralization:

"We cannot imagine the future of the province, the future the two linguistic communities, without decentralization." (617F)

"The regional director at Grand Falls would help develop the department's budget, and define the department's (agriculture) priorities, which is not the case at present." (114F-Q)

"In the regions, there should be powers that come with it in terms of programme powers, establishing programmes, establishing agriculture development policies." (115F-Q)

"These units should have some decision-making power since Fredericton should not have all the power. This could be done through decentralization if necessary. I would even go as far as to recommend complete departmental decentralization." (626F-Q)

"I believe in decentralization as a political principle. I find it helps people acquire some control." (634F-Q)

Some insisted on decentralization and devolution as means to promote economic development (836F), but argued that a uniform tax rate must be maintained (167F, 836F). Devolution was seen as a way to bring the government and French community closer together (838F).

One brief supported regionalization on condition that the minority living in a given region was protected (757F).

Several briefs recommended establishing separate regions. The vast majority of briefs presented in Shippagan argued that the Acadian Peninsula should be an administrative region. One brief advocated an administrative region for the French areas in the southeast (703F) while some briefs from the Kedgwick region urged that it be recognized as an administrative zone for forestry (466F, 467F). French-speaking presenters from Northumberland County asked that their county be designated a bilingual region (561F).

Some briefs maintained that certain departments are more suited to decentralization than others. Agriculture and Fisheries were both mentioned on several occasions as being appropriate for both regionalization and decentralization (114F, 167F, 601F).

"I don't think that all government services should be decentralized because these services play a provincial role .... I don't think the Department of Justice and Finance or the Treasury Board need to be decentralized ...." (617F-Q and 711F-Q)

Others favoured regionalization, but not complete decentralization, and accepted the idea of programmes being developed at the central office provided the regions are consulted (623F-Q).

Some briefs discussed the problem of the large number of administrative maps and the administrative confusion that results from each department having a different administrative centre (12F, 604F, 619F). A few suggested developing superimposed administrative maps for each linguistic group (164F).

c. Bilingual Briefs

The New Brunswick Federation of Labour expressed concern about the proposed decentralization which,

"by moving their central office to predominantly French regions, would affect workers and their families"

and wondered how employees and their bargaining agents would respond (617B)?

The regionalization concept lent itself to various interpretations. Some equated it with decentralization (involving the transfer of the decision-making power); others with devolution (transferring a department's central office to another location, without reorganizing the organizational chart or the decision-making structure); still others, with management only, but in a more rational and less scattered manner.

SECTION TWO

THE FIELDS OF APPLICATION OF OFFICIAL BILINGUALISM

An official languages policy is potentially applicable to at least six sectors: the civil service, municipalities, hospitals and other health care institutions, professional associations, public utilities and the private sector. Each of these sectors are examined individually. In total, 146 briefs rejected the Report outright and, therefore, its recommendations pertaining to the above-mentioned sectors. One hundred and twelve briefs supported the Report entirely. Unless indicated otherwise in the brief itself or during question period, these briefs were considered as rejecting or supporting all of the recommendations the Report made on these specific areas. When discussing a particular point, the author of a brief sometimes contradicted his overall approval or rejection of the Report and rejected, for example, one recommendation despite the fact that he had already claimed to support the entire Report, or vice versa. Other briefs discussed one sector in particular without taking a position for or against the entire Report.

The opinions of individuals or organizations directly affected by a given recommendation are presented first, followed by English-language, French-language and bilingual opinions.

Opinions are examined in relation to the Report's recommendations, unless otherwise indicated, since the recommendations were the point of reference for most briefs.

I. Civil Service

The Report made several recommendations concerning the civil service, i.e. recommendations 7 to 11, 86 to 93 as well as 95. The latter would give responsibility for adjudicating language matters to the courts and could have an impact on the civil service.

Three of these recommendations have been discussed above: French as an autonomous language and a language of service, equitable representation of the two language groups and French as a working language. This section will as a result examine the other recommendations. These are:

- making bilingualism a consideration for promotion and hiring and an important tool for evaluation;
- reinforcing the linguistic profile by making it more reliable;
- making the Official Languages Office overall responsible for coordinating the implementation of the new language policy, for establishing a Task Force on linguistic employment standards for setting criteria for linguistic competence, and for creating an inventory of positions for which linguistic competence will be required;
- adopting a seven-year special recruiting programme for French managers;
- revising language training programmes for civil servants and making these programmes available to any employee who holds a bilingual position;
- making deputy ministers responsible for the progress achieved and for identifying bilingual positions.
- defining the conditions governing the designation of a position as bilingual, the conditions permitting a unilingual to move into a bilingual position conditionally and the conditions enabling a unilingual to move into a bilingual position due to service entitlement.

A. Briefs of Participants Directly Affected

One brief, submitted by the New Brunswick Federation of Labour (81710), expressed the view of persons most directly affected, i.e. civil servants, although the brief had a much broader scope. It pointed out that many of the recommendations raise questions and concerns among civil servants and "could cause an unfavourable impact on unilingual employees, especially with regard to promotions." Identifying bilingual positions is particularly problematic, the brief stated, and "it would only be right and reasonable to have exchanges with other parties, including bargaining agents and organizations like ours, when identifying bilingual positions." The brief added: "It must be clarified whether the opportunity to learn a second language will be offered to all civil servants, without loss of pay, provided they are qualified for a conditional promotion to a bilingual position, just as the opportunities to learn a second language must be clarified for those holding positions subsequently designated as bilingual."

The Federation expressed reservations as to the considerable power granted to deputy ministers and to the Official Languages Office which limits "the power of bargaining agents to negotiate on behalf of their members."

When discussing recommendation 95, which gives the courts the responsibility for adjudicating linguistic matters, the Federation maintained that "if the intention of this recommendation is to circumvent the procedures which apply to arbitration as stipulated in the Public Service Labour Relations Act when dealing with grievances on language questions, we are strongly opposed to any movement in this direction."

The Saint John District Labour Council (285E) asked "that job security be available to all people now employed by the civil service."

The Moncton Regional Labour Council (826F), after giving its support to the principles of language of service and work and equitable representation, stated: "we do not recommend that civil servants lose their jobs. On the contrary, we believe that the civil service must grow so it can provide more services to the population and, at the same time, be able to provide these services in both languages."

The brief presented by local 821 of the Canadian Union of Public Employees gave its full support to recommendations 7 to 11 and 90 to 93, but did not discuss recommendations 86 to 89.

B. Briefs from the Public

1. English-Language Briefs

One hundred and thirty-eight English-language briefs opposed the Report and 18 others rejected the Report's recommendations pertaining to the civil service, although they did not explicitly reject the report. Therefore, a total of 156 (50.9%) briefs submitted by Anglophones rejected the civil service recommendations. Their central argument was that competence and merit should be the only factor in hiring or promoting civil servants (58E, 64E, 408E, 412E, 414E, 421E, 745E, 747E, 791E, 844E).

> "We believe that no jobs should be classified as bilingual until all children have been adequately educated in both official languages. The mere fact or suggesting that these positions be classified as bilingual, as the report suggests, discriminates against all English-speaking citizens of New Brunswick." (835E)

> "should absolutely not be a government policy. Hiring should be based only[1] on ability. Language is only a means of communication, and is only one of several factors that should be considered." (27E)

> "If government bilingualism is recommended to prevent the discrimination which occurs in the hiring of Francophone civil servants ... such a practice can be circumvented, at a much lower cost, by teaching English to all New Brunswickers." (424E)

One brief maintained that hiring practices not based on merit contravenes the Charter of Rights (326E); another explained the lack of French-speaking senior civil servants by saying that they are not as well educated and criticized the Report for not recommending improvement in their level of education (581E); others thought that bilingual requirements enabled the French speakers to take all the jobs even though they are not qualified (21E, 32E, 54E); another complained that language policies have made the civil service less efficient (415E).

Thirty English-speaking presenters agreed that linguistic proficiency should be a hiring criterion, at least for some jobs.

The multinational corporation, McCain Foods, supported recommendations 7 to 10 and argued that "bilingualism should be one important element among a certain number of important factors regarding hiring and advancement in the civil service" (204E). It also agreed with recommendation 11, which proposed a control system for bilingualism (improved linguistic profile) but thought that the recommendations pertaining to the Official Languages Office and the Official Languages Commission are premature and should not be considered until the Committee's deliberations and those of the government are complete. It also accepted recommendations 86 to 95.

Some of the English-language briefs said that while people cannot be forced to learn a language nevertheless if someone wants a position that brings him in contact with both language groups, he should be prepared to learn the other language (37E); more over these positions should be open to bilingual English speakers as well as French-speaking applicants (362E, 551E, 564E, 811E, 844E). Others, although they accepted that bilingual staff are needed, suggested that this be achieved through attrition "without forcing employees to learn French or dismissing unilingual employees" (417E).

Some English speakers emphasized competence, excluding language requirements:

> "The basis for hiring within the civil service should be the most qualified person for the job. Language should not be a qualification that is insisted on." (25E)

> "If the language you can speak is more important that your qualification for the job, then we are in a difficult situation." (844E)

> "Bilingualism can be considered an asset for some jobs but not as a necessary qualification. If someone adequately meets the requirements for his job, he can usually find someone to help him communicate." (814E)

Others thought that language proficiency, in some cases, might constitute part of the job skills required:

> "If being able to converse or work in both official languages is really needed for a job, then it becomes one of the qualifications for that job." (254E Q)

> "Yes, (bilingualism could be a hiring criterion in the civil service) ... and there are cases in which, I think, this could be a cost-saving factor ... instead of providing parallel structures, I would

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1. Underlined in the text.

prefer seeing people with some expertise who are able to work at these jobs in both official languages rather than hiring two people." (402E Q)

"Once government services in both languages are provided for, then job opportunities should not be limited by someone's ability or inability to speak one language in particular." (804E)

Others went further and maintained that only bilingual people should be hired

"If bilingualism is implemented in the school system, the government, when hiring someone in New Brunswick a few years from now, would hire only bilingual staff because everyone would be bilingual." (1E Q)

"A completely bilingual civil service is needed." (15E)

One brief noted that it is not surprising there are not many French-speaking senior civil servants because they have been in the service only a short time and since positions become available only gradually they must be patient (778E); some believed that the French speakers have progressed in the civil service and the the Report's recommendations are redundant (823E); others, although they thought competence should be the primary consideration, accepted the hiring of unilingual French speakers provided they are qualified (271E Q, 279E Q); some objected particularly to designating bilingual jobs in their predominantly English-speaking regions (357E, 359E, 408E).

Several English-speaking participants expressed concerns that linguistic designation would really mean ethnic designation and that bilingual English-speaking candidates would not be hired (63E, 251E, 252E, 254E, 280E, 411E, 460E, 551E, 552E, 581E, 766E, 773E, 823E, 844E).

One brief asked that the "Government of New Brunswick restrict itself to offering financial bonuses (in civil service job requirement descriptions) to any Canadian who is bilingual but that it not legislate bilingualism as a job prerequisite" (563E). Another participant pointed out that "voice synthesizers" would provide technological means before long, enabling unilinguals to communicate with civil servants (361E).

Several participants questioned the credibility of the figures in the linguistic profile (368E, 776E, 830E).

On several occasions, the quality of bilingualism of French-speaking civil servants was questioned, and one brief suggested that "an independent group, comprising equal numbers of English speakers and French speakers, be established to develop tests which would determine the level of written and oral proficiency in both languages. The test could be administered by the Civil Service Commission" (9E). This brief recommended that different levels of bilingualism be identified for different positions and that second-language learning be more readily available to those who are willing to "engage in the hard work of learning a second language," and that those who are not motivated not be sent to study it.

2. French-Language Briefs

One hundred and ten French briefs supported all of the recommendations that pertain to the civil service. Also, 30 other briefs clearly expressed the view that language should be recognized as an important job requirement in the civil service whether in the form of competency in French or English for employees whose jobs bring them in contact with one group or the other, or bilingualism for employees whose jobs bring them in contact with both linguistic communities. Seventy-five percent of French-language briefs discussed this issue and all, with only minor exceptions, agreed with the Report's proposals with regard to the civil service:

"I think that linguistic qualifications should definitely ... be taken into account when hiring civil servants." (615F)

"In a public service founded on the principle of the equality of English and French, it is completely logical for competence in both languages to be an equally important job requirement, for some positions, as other qualifications required for the job .... Care must be taken not to consider the public service as a huge job creation project, rather, it is an infrastructure which exists to provide goods and services to the entire population. The population of our province has an English element and a French element. In order to serve both adequately, there seems to be no other option than to have requirements." (563F)

"Many English-speaking participants have made it known that speaking two languages should not be considered a job qualification. I think, however, that being bilingual is an asset which adds to a candidate's abilities so that, in some cases, it is a determining factor in the decision as to whether a candidate can or cannot fill a job." (602F)

"The fact that some English speakers are saying that their jobs are being taken away because of the bilingual requirements for some jobs shows a mentality we thought was of the past. It is as if all jobs were theirs. It might be acceptable if those (bilingual jobs) were designated for unilingual French speakers. Bilingual requirements are just as restricting for French speakers as for English speakers .... Of course there must be language requirements for jobs. If not, how could we ensure that governments services meet the needs of both of the province's official language groups." (611F)

"We believe that the ability to communicate in both official languages must become a selection criterion for ministers, deputy ministers and directors." (502F, 623F)

"Ministers, for their part, take paradoxical positions. When they are deliberating in the legislature, they say they are in favour of the Official Languages Act and the Act Recognizing the Equality of the Two Official Linguistic Com-

munities of New Brunswick. But when these same ministers return to their respective departments, they do absolutely nothing to develop an action plan to overcome the deficiencies." (267F)

One brief stated:

"When appointing representatives from the French-speaking community, we should ensure that they are true representatives of that community and not "would be" French speakers. The community must be able to sanction the appointments that concern it or, at least, have the right to examine them." (160F)

Others said that it is important to employ civil servants of the same culture (267F) or that the regions must be more effectively represented so that the needs and rates of development of all regions can be assured (501F).

Some participants from the Acadian Peninsula condemned the fact that civil servants in that region are always required to be bilingual while bilingualism is not a requirement in the English-speaking regions (606F, 616F).

The French speakers perceived the linguistic profile as being of fundamental importance and many briefs referred to it to argue that equality for French speakers still does not exist in the civil service (6F, 12F, 60F, 61F, 110F, 114F, 456F, 457F, 465F, 607F, 612F, 613F, 706F, 707F, 838F). Many said that the problem is particularly evident at the Central Office (632F); others stated that regional services are inadequate (555F, 561F) as well.

Some of the French-speaking participants said that they agreed with the recommendations on the civil service but added that a strict timetable should be adopted (464F, 465F, 502F, 511F, 612F, 636F, 707F, 757F).

One brief said that the Report did not go far enough and the presenter does not agreed when

"a unilingual person can be appointed to a bilingual position ... if the position is bilingual, a bilingual person should be appointed," (636F)

and recommended that bilingualism should be a requirement for these bilingual positions only.

Other briefs asked simply for a government hiring policy to make French a useful language in daily life (705F Q, 710F). The Civil Service Commission was criticized for not having

"a hiring policy that meets the objectives of the Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick." (267F)

One brief argued that hiring must be "done on a linguistic and not an ethnic basis" and suggested that the special recruiting programme for French-speaking managers be set out in greater detail to alleviate English speakers' fears (757F).

When discussing the subject of second language courses for civil servants, one brief maintained that the language training school "was created for English speakers only" and stated

"How many French speakers have had the opportunity to improve their English in this school? I think rather that several Francophones have received the following response from the school: "English courses are given at the University of New Brunswick." (13F)

Another said that "existing language training courses for civil servants have produced only modest results--except that employees have been classified as bilingual--although most of them only possess oral communication skills" (612F).

And one participant proposed that civil servants should have ten years to become bilingual, after which their chances for promotion would be compromised (509F).

3. Bilingual Briefs

Few bilingual briefs discussed the civil service, concentrating rather on specific sectors, such as professional associations or health services.

Three bilingual briefs expressed an opinion on the civil service. The city of Edmundston used its experience as an example to argue that a bilingual civil service is not utopian and added that "we are far from being able to say that provincial services are efficient and of equal quality in both official languages." The brief complained that all correspondence in French had to go to translation (108B). It associated this fact with the small number of French civil servants, especially in the Central Office. It supported the Report's recommendations with regard to French as autonomous language of service and work in the civil service, to bilingualism as a factor to be considered in promotion and hiring, and to establishing an Official Languages Commission. It concluded that the adoption of these recommendations would ensure "that the spirit and intention of the law would be enforced and respected, which has not been the case since the Official Languages Act was adopted in 1969" (108B).

One Edmundston resident maintained that the recommendations pertaining to the civil service should be determined internally:

"The government is responsible for ensuring public services. As an employer, it must take the measures necessary to ensure adequate services. As for the bureaucrats who make the decisions, they have an obligation to think for all New Brunswickers, no matter what language they speak .... If decisions have been made in the past which go against the aspirations of a particular region or group ... the employer (the government) must seek them out (the decision-makers) and reorient them or get rid of them. Selection criteria must consider candidates, attitudes towards the aspirations of society as a whole." (123B)

The presenter concluded that all senior positions in the civil service should become "bilingual in the foreseeable future."

The town of Shédiac offered a fundamental message with regard to the civil service:

> "The purpose of the civil service must be to serve; it is not a place to find a job .... If providing services to people means speaking to them in their own language, then those who work in the civil service should be able to communicate. That means communicating in the client's language." (715B)

In response to a question the mayor added

> "Yes, of course, qualifications include the ability to communicate with the client and, unfortunately ... qualifications have not been perceived as including language and I insist that they must."

II. Municipalities

The Report made four recommendations' pertaining to municipalities:

1. Cities and municipalities in which the smaller official language community constituted 20% of the population were to provide in both languages:
   - municipal by-laws and ordinances;
   - council and committee minutes;
   - public notices, bills, motor vehicle and traffic tickets and other printed material directed to the general public;
   - information services;
   - emergency call services for police, fire and ambulance services, 24 hours per day (recommendation 57).
2. Cities in which the smaller official linguistic community constituted 20% of the population or 1500 inhabitants, and municipalities in which the smaller linguistic community constituted 40% of the population or 1500 inhabitants, whichever was the lesser, were expected to:
   - provide bilingual signs;
   - provide a bilingual designation for their services;
   - provide direct bilingual services, (i.e. without intermediaries) in all departments and divisions;
   - ensure that both languages could be used at council meetings; provide agenda in both official languages;
   - translate and distribute, within 18 months, all municipal by-laws and ordinances in force before the Act goes into effect;
   - correspond with citizens in their language, provide bilingual municipal forms, stationary, cheques, manuals and documents within 24 months after the Act goes into effect;
   - (for cities only) adopt a hiring policy based on its linguistic requirements and have it approved by the Official Languages Office, on the recommendation of the Official Languages Commission, within 90 days, and then every year.

   All municipalities, other than cities, were expected to ensure minimum emergency and general information services (recommendation 58).
3. The Report recommended a provincial assistance programme for bilingualism and stringent controls over the application of the recommended measures by the Official Languages Office and the Official Languages Commission (recommendation 59).
4. The Report recommended the creation of a provincial Capital Commission (recommendation 60).

A. Briefs of Participants Directly Affected

This section will examine the briefs submitted by 43 municipalities and 3 labor groups.

A) The 21 English-language municipalities which presented briefs rejected the recommendations concerning municipalities, with few exceptions. Some did not discuss the recommendation concerning the provincial capital because "it is not our business to interfere with another municipality's affairs".

They focused on the high cost of implementing the recommendations and on the fact that municipalities are democratically elected autonomous governments; this meant that any interference by an Official Languages Office or an Official Languages Commission was totally unacceptable. Some recommended a gradual approach building on the bilingual human resources the school-system will provide and so avoiding coercion.

> "The cost of implementing the Report's recommendations on municipalities would be $1,350,000 the first year and $960,000 per year in subsequent years" (for the city of Saint John)." (270E)

The city of Saint John stated that the former financial assistance programmes were quickly abandoned by the large cities because the rules changed -- municipal by-laws and minutes, were required to be translated even though demand was virtually non-existent, but information materials did not qualify and because

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1. Towards Equality of Official Languages in New Brunswick, p. 448 - 449.

government fiscal participation was decreasing. The city of Saint John also rejected any intervention in municipal affairs by an Official Languages Office.

> "For many years, the municipalities in this province and elsewhere have been fighting for increased autonomy in local affairs. This recommendation clearly indicated a backwards step." (270E)

In response to a question the Mayor answered that the city was ensuring that

> "there were people available to provide services to French speakers ... we now have, on almost all floors at city hall, someone who is fluently bilingual, and we think this is the objective you expect from us and we are working to achieve this objective." (270E-Q)

The city objected to the percentages in recommendation 57, saying that 40% should be used and added

> "You have, approximately, a total of 260 unilingual French speakers in the city of Saint John out of a (French-speaking) population of 6000." (270E-Q)

It was argued that that number did not warrant significant initiatives in linguistic matters.

The city of Fredericton believed that it would cost approximately $900,000 the first year and $700,000 per year subsequently to implement the Report's recommendations within the proposed two-year timetable. It observed that

> "these costs could be reduced considerably if the timetable were longer so that most necessary staff changes could be done through attrition." (19E)

The city also noted that its collective agreement did not permit personnel replacement for linguistic reasons only. It strongly opposed any "language police," saying that municipal autonomy must be respected, that the Charter, the Human Rights Act and the Official Languages of New Brunswick Act already guarantee protection, and that enforcement of rights is adequately performed by the courts and related organizations. Fredericton did not express an opinion on the provincial Capital Commission because

> "no effort was made to define its composition, its geographic area or the responsibilities and authority that would be assigned to it"

and the city

> "recommends that the provincial government meet with the city and other municipalities in the capital region to discuss the matter and establish the mandate and financial agreements of such an organization." (19E)

The city supported the recommendation concerning the adoption of a provincial financial assistance program because

> "implementing (these recommendations) without a considerable financial contribution by the province would put undue pressure on our financial resources." (19E)

> "Recommendations 57 and 58 could be accepted without hesitation in an ideal world where all levels of government have unlimited resources".

But this is not now the case.

The city has placed international symbols on its signs and has already made its traffic tickets, summonses and bills bilingual. It intends to provide more bilingual material when existing unilingual supplies are exhausted. The brief agreed that general services are already offered by bilingual staff and more will be hired in the future

> "especially in emergency and information services. If someone wants to address the Council or one of its committees in French, measures can be taken to ensure that this is possible." (19E)

The brief argued that the Report spent too much time on symbolic requirements since the people's real needs lie elsewhere, outside municipal jurisdiction, such as the need for social workers, and doctors. The city of Fredericton said that it is prepared to

> "work with interested groups in an attempt to attract the necessary professionals to Fredericton." (19E)

The presenter noted that if French speakers constituted 20% of the city's population rather than 6%, it could then approve recommendations 57 and 58, but that, because of the small demand, the extra costs could not presently be justified. He believed

> "that it is unfair and unreasonable to establish a population figure of at least 1500 just to ensure that the cities of Fredericton and Saint John are bound by the law. Standards should apply equally to all municipalities and the percentage of 20% suggested by the task force seems reasonable." (19E)

Fredericton also recommended

> "that no action be taken, at this stage, to implement any of the recommendations concerning municipalities"

and that discussions should be held amongst the principal municipalities affected by the recommendations (19E).

Other English-language municipalities, to support their rejection of the recommendations, pointed out the limited demand; the possibility of using volunteers as interpreters for emergencies; and the need to wait for bilingual graduates to join the work force. They also mentioned the high cost of implementing the recommendations, especially in small municipalities, where implementation might sometimes be impossible because of the difficulty in recruiting bilingual staff locally.

"If there is a need, we have people we can call, without advance notice, who are happy to help." (201E Q)

The problem in our municipality at this time would be, simply, that we would have to import people to serve in this capacity (bilingual)." (411E Q).

"I see us continuing as a Anglophone council and supplying services in English. When available or necessary, we can provide these services in French. But I should point out that 7% of the population's mother tongue is French but only 2% speak French ... it will take time before there are many services in French. It will happen as we hire young employees. They will be bilingual." (551E Q).

"The Town of Nackawic has always been and will continue to be open to hiring bilingual people, but the person hired must, first and foremost, be qualified for the job." (203E).

The town of Nackawic concluded that enforced hiring of bilingual personnel, sometimes difficult to find, would require it to

"hire less qualified staff in order to fulfill language requirements." (203E)

It pointed out that Nackawic's French-speaking population is bilingual and rather than demand that printed material or services be bilingual prefers to encourage a "climate of harmony and cooperation among Anglophones and Francophones through mutual respect" (203E).

"The report's recommendations on linguistic requirements for emergency services in the smallest municipalities, like Petitcodiac, would certainly be ridiculous, because some of the emergency services our citizens rely on are provided by volunteers. Implementing such a policy would lead to the elimination or reduction of these volunteer services." (612E)

Some municipalities not presently affected by the recommendations expressed their fears that they might be so in the future as a consequence of population migration.

"We are a municipality with a great influx of people and a large number of people who are moving out, and the time may come when we have a large number of French speakers in the municipality" (356E Q). Others wonder "how to determine who is English-speaking and who is French-speaking" because some people are of French origin but can no longer speak the language." (409E and 352E Q)

When discussing recommendation 57, the village of McAdam stated

"We don't think this can be achieved within two or three years but, over the long term, it is very possible if more than passive bilingualism is taught in our schools." (353E)

The town of Oromocto felt that the Report should have emphasized what had been achieved since the Official Languages of New Brunswick Act was adopted. This would have shown that, although only 6% of the population of Oromocto is French-speaking, much has been done, eg. the police department is 75% bilingual; recreational services are 80% bilingual; there is at least one bilingual person in all other departments; signs are in both languages; there are translations of municipal by-laws; and the fire and ambulance alarm system is soon to be linked up to a bilingual centre. It noted that it translates only those municipal by-laws that affect residents, such as those pertaining to traffic and dogs, and not those that specify, for example, the width of the streets (20E Q). It added

"We have satisfied most of the requirements, without significant cost or negative reaction or even unfavourable comment." (20E)

Oromocto was opposed to an Official Languages Office or Official Languages Commission which would "impose rigorous controls on municipalities" but supports a "rational approach" based on participation, knowledge and mutual confidence to encourage understanding, commitment and respect.

Finally, the town of Sussex "rejects the recommendation that the province should change the law that governs municipalities to make the use of French mandatory" and maintained that "the development of a provincial Capital Commission for the Fredericton region, similar to the one in our nation's capital, should not be considered because it's beyond the means of the province" (401E).

Some English-language municipalities accepted this latter recommendation because they thought the capital should set an example (351E, 352E) but most rejected it because democracy required that the city be 100% English (552E) and the costs are too high. One municipality said that the mayor of Fredericton would probably agree "if the province paid" but added that there were more pressing problems (551E-Q).

B) Most of the 17 French-speaking municipalities presenting briefs stated that they could provide services in English and pointed out that almost all of their staff is bilingual.

"Our personnel is bilingual and as soon as we receive a request for services from possible English residents, even if there are only five of them, we will serve them in their language, including all written material." (623F)

"The Town of Tracadie is thereby (bilingual requirement for all senior positions) able to provide all public services in both languages without additional costs." (612F)

Several French-language municipalities pointed out that the cost argument is without foundation because costs are either non-existent or minimal. Shippagan, for example indicated that, when preparing municipal by-laws in English, it uses models from other municipalities (601FQ). Others agreed that it does not cost more to have bilingual staff. The mayor of Néguac, speaking on behalf of the "Conseil conjoint des communautés francophones de Northumberland," said that,

> "a bilingual man costs the same as a unilingual man. What we hear, that it will cost huge amounts of money to have services in both languages is false; for example, if you have a proposed by-law and you pass it at the municipal council, you pass it in both languages, that costs nothing." (561FQ)

Nine municipalities supported the four recommendations pertinent to Municipalities. Three of them, however, argued that the minutes of council and committee meetings should be written in one language with a version in the other language to be made available on request. One municipality stated

> "We don't want places like Saint John or St. Andrews to become bilingual, but we do want the Town of Lamèque to be able to continue developing in French and to receive services from the provincial government in French and places like Bathurst to be able to provide services to their French residents in their language." (628F)

It went on to question the necessity for a fixed percentage or minimum numbers arguing

> "that every person in New Brunswick should receive services in his/her mother tongue." (628F)

A tenth municipality supported recommendation 57 and pointed out that the municipal council and employees should be free to communicate internally or with the government in the language of their choice. It saw the role of the Official Languages Commission as advising, evaluating and making suggestions. It rejected the idea of any Commission with the power to impose its ideas on municipalities because municipal councils are democratically elected (701F).

We can therefore say that 90% of the Francophone municipalities that did express an opinion supported the Report's recommendations. The remaining municipalities did not express an opinion on this matter.

Several municipalities regretted the difficulties they have experienced in getting service in their language, particularly from the Department of Municipal Affairs. Some explained that they usually send their correspondence in French but that when they want a urgent response they send an English or bilingual letter.

> "When things are pressing, we have to communicate in English, we don't have any choice with some departments, particularly the Department of Municipal Affairs." (601FQ).

During question period, the Mayor of Petit-Rocher said that it was difficult to deal with the Department of Municipal Affairs in French (508FQ).

The town of Caraquet indicated that the budgets of the French-speaking towns and villages represented 42% of the total budget allocated to these municipalities in the province and felt that this was sufficient argument "to justify the need to be served in our language" (614F). Cap-Pelé retold its struggle with the Community Planning Branch of the Department of Municipal Affairs as after it sent a letter to local businesses "encouraging them to put up signs mainly in French". In a letter, written in English, the Department advised that "that paragraph should not have been included and that, in any case, these were changes of minor nature": (in response to the community plan submitted) (703F). At least one municipality where "effective oral and written communication skills in both official languages is one of the essential job requirements for senior positions" (612F) said, during question period, that this requirement exists mainly so they can communicate with Fredericton.

Seven French-language municipalities recommended that a Municipal Federation of municipalities be established with English-speaking and French-speaking associations:

> "Why shouldn't municipalities, whether English-speaking or French-speaking, with different concerns, have the privilege of forming distinct associations under a Federation responsible for their common needs." (611F)

> "The government, through the Department of Municipal Affairs, should recognize that Francophone municipalities should have their own association and be considered on an equal footing with the other associations of municipalities in the province." (628F)

> "I would have preferred ... a federation with a Francophone and an Anglophone section and annual meetings during which the two could meet and talk. It's been proved, it's very difficult, especially when a speaker has been invited." (508FQ)

The Mayor of Cap-Pelé, however, wondered whether an association of elected councillors, rather than of municipalities themselves would not be better since villages, towns and cities do not necessarily share the same problems (703FQ).

Half of the participating municipalities expressed an opinion on the recommendation calling for the creation of a provincial Capital Commission and almost all supported the idea. A number argued that the capital of the province should better reflect the officially bilingual character of New Brunswick, while one municipality said it had no definite opinion on the matter (601FQ).

C) Five bilingual municipalities gave their opinions: Edmundston, Campbellton, Bathurst, Shédiac and Moncton. That with the largest population, the city of Moncton, said it is "evolving linguistically."

"City Hall is discreetly but resolutely involved in a campaign to use simple but effective measures to modify old procedures. These include using both languages on street signs, municipal buildings, correspondence and letterhead paper, having bilingual operators and taking steps to ensure the provision of bilingual emergency services. In addition, bills for municipal services, lettering on municipal vehicles and crests on uniforms are now bilingual .... Our hiring policy always gives priority to general ability, regardless of language proficiency. However, the Council recognizes that bilingualism is now an important requirement for some jobs. This is a positive change of policy in our city." (M011)

The city of Moncton also mentioned the efforts made during recent years to develop bilingual senior staff and to maintain a climate of cooperation with the city's principle educational institution, the University of Moncton. Admitting that "it was difficult for the Council to reach a consensus on the Report," the brief added that "the basic responsibility of any democratic society is to respect and protect minority rights ... (and) to allow ALL its citizens to flourish to the fullest" (M011). Moncton stated that it intends to follow the course it has set in recent years but

"whatever bills are proposed following your final report, the policy of the City of Moncton towards language and the delivery of services must be developed so that changes in the hiring policy are not radical and so that the advancement of the people now employed is not jeopardized." (M011)

During its review of the Report's recommendation, the city of Moncton agreed with recommendation 57, provided the approach is progressive. It maintained that Council minutes are of secondary importance, at the present time, but might properly be a long-term goal. It declared that it is prepared to invest in certain changes itself but that a federal/provincial programme should provide funding for large-scale undertakings. In regard to recommendation 58, it stated that

"a municipality can easily adopt a policy requiring that all signs be bilingual" and "the extra costs can ... be absorbed by its own budget or by grants the municipality receives." (M011)

Thus some municipal services, could easily be provided in both languages without intermediaries, while in other cases this would take more time to organize and in others it could not be done at all. There should be a co-ordinated plan designed to protect the interests of employees and increase their ability to use both languages. The cost of simultaneous translation was perceived to be exorbitant and should be covered by the federal and provincial governments unless

"translating council proceedings were used as a 'laboratory' for simultaneous translation students from the translation department at the University of Moncton." (M011)

On the recommendation pertaining to an Official Languages Office, the city argued that

"the province must respect the ideas and wishes of the municipal councils ... (and) encourage the municipalities to develop their own language policy and help to relieve them of the resulting financial burden." (M011)

Accordingly, the Official Languages Office would be unnecessary. The city of Moncton agreed with recommendation 59 which suggests "a provincial assistance programme for bilingualism" because "financial assistance for municipalities is absolutely essential." It also accepted a government control mechanism (M011). When discussing recommendation 60, it stated that "a provincial Capital Commission created apparently to oversee language should be avoided" because of the special status that Fredericton would be given, which would create "a first among equals syndrome between Fredericton and the other municipalities." It also emphasized the costs and said that it would be better to invest in services rather than in new structure. With reference to section 20.(2) of the Charter of Rights and Freedoms this city seemed to consider itself a provincial institution and so subject to the law, but added

"that as long as the province of New Brunswick does not show the political will to develop guidelines for the use of official languages in government services, it is unfair to ask the various regions in the province to examine the issue." (M011)

Although the city of Moncton said it was willing to comply with the spirit and intent of the fundamental law, it concluded by asking for the funds required to meet the costs estimated conservatively at $200,000, "which would result from legislating the recommendations" (M011). During question period, the Mayor added

"The act requires that we provide these services ... and that is why I cited the section from the Charter of Rights and I believe that the other legislation also applies ... before the province decides to tell us what it wants, we cannot provide answers on the financial aspects." (M011B-Q)

The city of Bathurst emphasized that it had adopted a policy on the two official languages in 1979, which

"is practical and ... has worked well ... we have unilingual staff, bilingual staff and some in between. The main objective of the policy is to provide the citizens of Bathurst with essential services." (M065)

The city of Bathurst implicitly rejected the recommendations on municipalities because

"the report ... is now proposing new obstacles to municipal decision-making power. Recommendations 57, 58 and 59 constitute such obstacles. Implementing these recommendations would

cost several municipalities a considerable amount of money, with or without cost sharing." (505B)

During question period, municipal representatives maintained that it would be difficult to hold council debates in French if the Mayor did not understand that language, and that translating the agenda, minutes and municipal by-laws was expensive, costing "between $50 and $100 per page" (505B Q). They also estimated that 65% of their municipal employees were bilingual and, speaking personally they added that

"Fredericton is the capital and French should be just as prevalent there as it is anywhere else in the province because it's the province's leader." (505B Q)

The city of Campbellton advised that it provided "the public with bilingual services in all its departments" but did not think it necessary for all transactions to be bilingual. It also thought it unnecessary "to present all municipal resolutions and notions simultaneously in both languages" (451B) because that

"would put a burden on the whole of society. Also, we do not think that simultaneous translation at council meetings is justified because few people attend them. We think of our municipality as being bilingual and require bilingual staff at all levels if they come into contact with the public. What we disagree with in the Poirier-Bastarache report's recommendations is having to present everything simultaneously in both languages." (451B)

Campbellton objected to translating by-laws which

"for the City of Campbellton alone would cost more than $25,000, not including the continual operating costs for amendments and revisions." (451B)

"The public in general does not receive municipal by-laws, maps, registrations or file contents. These documents are translated or interpreted for the public on request in the language of their choice." (451B)

Conversely, the city of Edmundston

"agrees with the recommendations (concerning municipalities), with the exception of certain points that we will note here ... we think that minutes of council and committee meetings should be written in one language and made available, on request, in the other language. Even though legislation governing fire, police and ambulance services does not require that municipalities make these services available 24 hours a day, the City of Edmundston is of the opinion that bilingual emergency services should be available at all times." (108B)

Although Edmundston was not subject to the provisions of recommendation 58, it stated that what is recommended is already in place or will soon exist in the city because "the minority, in our City, is very well served" (108B). It agreed with recommendation 59 because it

"would ensure that the measures are applied to all municipalities with a certain amount of uniformity."

It agreed with recommendation 60 because

"the provincial capital must, by definition, play a leadership role and set the tone for the other municipalities." (108B)

During question period, the city pointed out that it "is no harder to prepare a municipal by-law in English and French" if the models provided by the Department are used and two parallel texts are compiled (108B Q). The city said that it provides bilingual services without additional cost and recognized that it is in a privileged position because the people are bilingual, but "what I (the Mayor) would say to other municipalities (is that) good will does not cost a lot" (108B Q).

The town of Shédiac informed the Committee that it provides services in both languages while its internal working language is French, although, under some circumstances, English is used.

"Like elsewhere, there are language problems here. The only difference is that the people of Shédiac treat each other with respect and trust. They understand that the rights of others must be respected if they want their rights to be respected .... Difficulties occur when a councillor or a staff member is more at ease and expresses himself in French and the person speaks and understands only English. Simultaneous translation has never been provided at council meetings but would sometimes be desirable. Under these circumstances, good will and respect for others create harmony." (715B)

During the question period, the Mayor stated that the cost of implementing bilingualism in the town was "quite enormous" but

"I have never seen a municipality that couldn't reorganize its budget to accommodate expenses for things it wanted .... I think the concerns and comments that we have heard ... from some municipalities (stem from the fact that) they see doing all the work in the same year; we've taken from 4 to 5 years, even 10 years, for one thing, and I think that now we can say that Shédiac is bilingual." (715B Q)

He concluded by saying that

"all imposed language regulations must be backed up supported by the funding required to carry out these responsibilities." (715B)

D) Three union groups expressed an opinion on this matter. The New Brunswick Federation of Labour, after discussing the recommendations concerning municipalities, concluded that

"provided that we discuss administrative and staff changes based on municipal language requirements at the bargaining table or during management/labour discussions within the perimeters of the collective agreements in question, the probability of employees being denied their rights would be minimal, and introducing bilingual services would be carried out in a non-discriminatory manner. Otherwise, conflict and ill will are inevitable ...." (817B)

In response to the anticipated costs involved, the Federation

"recommends that the Advisory Committee undertake to make a special mention in its final report that the provincial government must immediately develop an adequate financial assistance programme for municipal bilingualism and provide municipalities and the public with all the details of the programme and the amount of money being offered. We also recommend that the Committee take the measures needed to ensure that expanded municipal bilingual services will not supersede existing contractual stipulations ... in short, the Advisory Committee must, in our opinion, explain exactly what expanding municipal bilingual services will mean to municipal bargaining units." (817B)

During the question period, the Federation said that it found nothing wrong with using attrition as a device to increase the number of bilingual staff.

The Saint John District Labour Council recognized the need to provide the 6,000 French residents in the city with

"adequate services in French. At the same time, we would like to see an action plan for the implementation of such a policy. The reasons for this are very simple. Jobs are involved and some of them are occupied by some of our members. We don't claim to have a simple solution to the dilemma of satisfying the rights of some people and protecting the jobs of others. What we would like to see is a detailed proposal on how that could be done, especially in Saint John." (2951E)

Local 821 (Moncton) of the Canadian Union of Public Employees suggested that

"Moncton adopt a hiring policy that corresponds to its language requirements and a timetable to implement the policy"

adding that "recommendations 57 to 60 should be retained" (838F).

B. Briefs from the Public

1. The English Language Briefs

In addition to the municipalities and union groups presenting briefs, most English-speaking presenters were opposed to the Report's recommendations concerning municipalities (approximately 140 briefs). They gave four main reasons:

- the high costs of implementation;
- respect for municipal autonomy since municipalities are in a better position to assess needs and adopt the necessary measures; rejection of any outside coercive measures;
- small or non-existent demand in many municipalities;
- pointlessness of training people in a language they will never use.

The St. Stephen-Milltown Chamber of Commerce said

"that a community like St. Stephen, with such a large majority of English-speaking Canadians, should be exempt from most of the recommendations in the Poirier-Bastarache Report." (357E)

One brief saw recommendation 57 as "another occasion for a French speakers to find a job" (359E); another maintained that

"municipalities should not be obliged to adopt restrictive bilingual policies, either in practice or on paper, but they should be encouraged to encourage bilingualism when numbers justify it." (408E)

One brief, after discussing the percentage of French speakers in Dalhousie, Campbellton, Bathurst and Moncton, said that "expenses for bilingual services can be supported in these municipalities but not in Saint John or Fredericton" (844E). Another stated that one

"cannot close one eye to the considerable sums of money required if one of the recommendations in this section (on municipalities) is accepted. Can we justify spending large amounts of money on the translation of council minutes, etc ... when only 2% of the Francophone population is unilingual?" (915E)

"The increase in staff and administrative costs to achieve this objective alone (publishing all material in both languages) would be gigantic and, in most places, ridiculous." (32E)

One organization said that it agreed with the section of recommendation 58 that pertains to signs and publishing by-laws and ordinances in both languages "provided the provincial government covers the cost of these services" (365E), but rejected the rest of the recommendation as well as recommendations 59 and 60. It did, however, accept the financial assistance programme (recommendation 59) although it rejected the control mechanisms it recommends.

Some English speakers thought the figures and percentages used to include certain municipalities were suspect:

"How did the authors arrive at the arbitrary figure of 20%, or 1500 inhabitants .... What happens to the majority?" (767E)

On the whole, English speakers rejected the idea that Fredericton, the capital of a bilingual province, should be more bilingual. They also rejected the idea of establishing a Provincial Capital Commission because costs would be high and because such a Commission would infringe on municipal authority (7E Q, 27E, 28E, 34E, 401E).

One brief maintained that Fredericton taxpayers should be the ones to decide whether their city should become bilingual (80E). Another pointed out that progress has been made and that, with second language education, progress will occur even more quickly (201E). A third brief opposed Fredericton's becoming an "Ottawa on the St. John" (34E). Some Fredericton residents thought

"the recommendation for Fredericton is totally unacceptable because of the history and composition of its population." (27E)

The Fredericton Chamber of Commerce, however, agreed with the Report's comments that

"the capital of a province that claims to be bilingual should be able to offer a more progressive image and show a greater interest in the rights of its linguistic minority if only because it's a municipality that serves not only its resident population, but all the citizens and institutions in the province." (30E)

This organization maintained that funding should be provided by the provincial government and that priority should be given to the "more visible" aspects, such as signs and public information, rather than to municipal council structures. The Chamber of Commerce agreed with publishing by-laws and notices in both languages but rejected the idea of council meetings being conducted in both languages because it would be impractical and costly. The Chamber did not think it necessary to have a Provincial Capital Commission and completely rejected the idea if it meant that "the Provincial Capital Commission would in fact serve as a municipal government for the provincial capital" (36E).

A few English speakers, approximately five, supported the recommendations on municipalities. One commented that French speakers in Bathurst pay the same taxes but receive only half the services (510E). The St. Andrews Chamber of Commerce thought that recommendation 57 is "commendable" but that costs and implementation should be studied further (356E).

"We support the idea behind these recommendations (57 to 60) .... Implementation will necessarily be subject to satisfactory procedures, costs and funding and to a timetable being accepted by the municipalities concerned." (204E)

2. French-Language Briefs

In addition to the municipalities and labour organizations that took a position on this matter, nearly 110 briefs submitted by French speakers supported the recommendations pertaining to municipalities, mainly because they thought existing services are inadequate.

Residents complained about the services provided by the municipalities of Fredericton (4F, 16F, 31F, 65F), Campbellton (454F, 459F, 462F, 465F), Bathurst (511F, 516F) and Moncton (803F, 810F, 820F, 821F, 827F, 846F).

The following are a few examples:

"Acadians living in the provincial capital would feel like full-fledged citizens ... if municipal services ... were spontaneously available in both of the official languages of the province and the country ... if the department of recreation offered recreational and leisure services in both languages ...." (16F)

"All municipal organizations that endeavour to be responsible to the citizens try to communicate with them in their language. It's hard to accept that a municipality like Campbellton, where almost 50% of the population is French-speaking, refuses to provide French texts of motions passed at its meetings to French speakers who request them." (465F)

The brief presented by Les Dames d'Acadie de Bathurst Inc. examined the services provided by the city of Bathurst. It recognized that progress had been made but criticized the fact that the bilingualism policy adopted by the city in 1979 was not being enforced.

"We are still far from living in a bilingual context. It is obvious that French speakers are not getting their fair share, although they represent 57.5% of the population." (511F)

The group systematically analyzed the shortcomings in the implementation of the bilingualism policy.

The Faculty of Arts at the University of Moncton recognized that services and the general mentality have been improving in Moncton (803F Q) but eight of the ten recommendations it made request improvements (803F). Les Dames d'Acadie de Moncton pointed to wide gaps in the services offered by the city in French and recommended that

"the City of Moncton be declared bilingual ... and that all services be offered to Moncton residents in both official languages." (810F)

Two Moncton residents talked about their experiences. One said that his son was unable to obtain services in his language at a summer camp organized by the city (827F); the other discussed police services (846F) and concluded

"It is obvious ... that this municipal service in a bilingual region is available to the public in one language only .... The same problem occurs regularly at city council and in other municipal services in Moncton." (846F)

All agreed that municipalities should be required to have binding language policies:

"We also agree that municipalities be subject to the provisions of a new language policy in order to provide the public with services in both languages." (267F)

Some did not think this should apply to all municipalities.

"The government must ensure that ... municipalities provide French services ... (and that) municipalities with a predominantly French-speaking population post signs in French first." (153F)

"The municipalities of Chatham and Newcastle, because of their status as administrative and regional service centres, should, at the very least, have one bilingual employee. We recommend that the provincial government develop a financial assistance programme for municipalities so they can achieve the desired goal." (555F)

Several French speakers condemned the inadequate French services provided by the Department of Municipal Affairs, especially in Fredericton, and some asked that this department help municipalities provide bilingual services. Some said that a municipality should provide services in both languages when numbers justify it:

"Municipalities must, when numbers justify it, offer bilingual services to all its taxpayers. Also, residents should be able to present their problems or communicate with employees in their own language, whether in St. Andrews or Caraquet. We also believe that official documents should be bilingual when numbers justify it, as would be the case in Moncton, Dieppe, Bouctouche, Fredericton, Bathurst and even Saint John." (702F, 710F)

Some French speakers specified that emergency services should be available in both languages (708F, 810F, 867F).

One brief pointed out that Moncton would profit from recognizing the two cultures because this would benefit tourism and the Acadian institutions located there (810F). One brief recommended that

"the government begin negotiating with the cities of Moncton, Bathurst, Dalhousie, Campbellton and Fredericton to make them recognize the rights of the province's two official linguistic communities and become officially bilingual, as soon as possible, in accordance with the law and actual fact". (709F)

Other briefs asked that the municipalities be invited to prepare a plan to be implemented over a reasonable length of time (921F, 928F). One recommended establishing committees, in municipalities with a French-speaking and English-speaking population, designed to achieve equality for both groups (853F). One brief said that some municipalities would like to have the power to spend money on cultural development (615F) and another asked that the municipalities contribute more to the administrative and operating costs of cultural institutions (469F).

Finally, the French speakers were unanimous in thinking that Fredericton, the provincial capital, should better reflect the bilingual character of the province. They supported the idea of having a Provincial Capital Commission (16F, 18F, 31F, 100F, 151F, 160F, 167F, 453F-Q, 612F, 636F, 701F, 821F, 838F). One brief asked that the city provide more recognition of contribution of French speakers through tangible gestures, such as street names and historical monuments (16F). Another said that,

"if information can be obtained quickly, I don't necessarily see the point in having total bilingualism in all services (in the city of Fredericton)." (31F-Q)

Another brief made the following comment:

"It seems perfectly natural and desirable for Fredericton, as the capital of the province, to reflect the character of the province .... If it's impossible for Fredericton to do this, then the government should think about choosing Moncton as the capital .... We are of the opinion that if Moncton considered the benefits of being the capital of the province, it would not hesitate to accept the report's recommendations on municipalities." (921F)

One brief, however, recommended decentralization and wondered why it would be necessary to make Fredericton more bilingual if decentralization were to be implemented, especially because "French speakers will never be at home there" (617F-Q).

III. Hospitals

The Report made four recommendations[1] on health services:

a. that the legal status of hospitals be clarified (recommendation 77);

b. that hospital services be organized according to the principle of duality, with each community having its own distinct institutions (recommendation 78);

1. Towards Equality of Official Languages in New Brunswick, p. 449 - 450.

c. that all health institutions be required to provide general information, ambulance and emergency services in both official languages at all times (recommendation 79);

d. that all specialized services be provided in both languages, either in distinct institutions for each official language or, where that is not possible, in one or more institutions that generally operate in one official language only (recommendation 80).

A. Briefs of Participants Directly Affected

1. English-Language Briefs

Four English-speaking hospitals, one regional nurses' association and one physician presented briefs. They particularly emphasized the following five points:

1. the quality of care must take precedence over any linguistic consideration;

2. communicating through an intermediary is not ideal but is acceptable;

3. the status of hospitals must not change and the board of directors of each hospital is responsible for managing the institution;

4. recommendation 78 does not affect them because the hospitals that submitted briefs were English;

5. the Saint John Regional Hospital is in the process of adopting a language policy which pertains particularly to tertiary care.

> "In the delivery of health care services, what is the relative importance of language preference? Obviously, it is of lesser importance that the quality of medical care ... this does not exclude, however, the possibility of providing health care services in both languages"

provided the need exists (215E). Carleton Memorial Hospital

> "provides only minimal second language services ... (and) providing even this minimal level of linguistic equality 24 hours a day, 365 days a year, would make it necessary to designate five nursing positions as bilingual. Providing equal services in both languages would probably involve designating at least one third of our direct patient care positions as bilingual" (215E).

That hospital concluded that such an action would be approaching the absurd and thought

> "that at the present time, their second language services more than adequately meet existing needs." (215E)

The Charlotte County hospital expressed a similar opinion and stated that it can rely on a few employees to interpret when necessary but that

> "changing the existing system would be equivalent to hiring in order to satisfy the exception ...."

and concluded that it

> "currently satisfies the linguistic needs of the community served." (365E)

The Dr. Everett Chalmers Hospital believed that

> "the priority of New Brunswick citizens, whether English-speaking or French-speaking, is to obtain medical care of the highest quality. Duplicating services or reducing them for linguistic reasons would result in inferior services." (24E)

This hospital has bilingual staff in its main departments and approximately 10% of its staff is bilingual, including approximately 10 physicians, forty nurses and forty other staff members. It recognized

> "the need for good communication ... reasonable
>
> efforts should be made to ensure that staff members are available who can communicate in both official languages." (24E)

The Saint John Regional Hospital maintained that

> "medical excellence, as a social priority of the province, is of greater importance than the equality of the official languages, except when this equality is necessary to achieve medical excellence. Then they are of equal importance." (292E)

This hospital is drafting a preliminary linguistic policy designed to ensure that certain services, "including some sectors where requests for services in French are few," can serve French-speaking patients in their language at all times, without an intermediary. At present, with the exception of some bilingual tertiary services, "our services are all available in French, but usually through an intermediary" (292E). One physician from the hospital maintained that

> "French speakers in this province are not willing to accept inferior services just to ensure that they receive them in their own language. We cannot sacrifice quality of care to satisfy an apparent linguistic problem." (273E)

He added that

> "it is inconceivable to imagine that the Saint John Regional Hospital will function, in the foreseeable future, in a language other than English even though we are trying to serve some patients in particular in their own language." (273E)

This doctor maintained that it is necessary to function in one language and condemned the fact that approval of their regulations has been delayed for several years because they have to be translated.

The Saint John branch of the Nurses' Association of New Brunswick stated that

> "standards of service must have precedence over linguistic skills if the quality of care is to be maintained." (404E)

The association was in agreement with the recommendation on the status of hospitals because

> "it is important to know whether hospitals are subject to the Official Languages Act." (404E)

Others objected to any change in status. The Dr. Everett Chalmers Hospital stated that

> "the Department of Justice has interpreted the Official Languages Act and the principle that applies to the civil service does not apply to hospitals." (24E)

The Saint John Regional Hospital said that if the four principles set out in the Report did apply to hospitals, it already complied with the language of service requirement because it is making efforts to provide services in both languages and with the regional identity requirement because it is an English-speaking hospital operating in an English-speaking region. It had strong reservations about making French a working language and ensuring equitable representation because

> "subordinating medical competence to career opportunities and linguistic representation in this hospital, as a civil service institution, would be a poor social choice." (292E)

Recommendation 78 was interpreted in many ways. Some thought that it defined hospitals as being English-speaking or French-speaking and said that they complied with the recommendation because they were an English-language hospital (215E, 355E). Others thought it advocated the duplication of services within the same hospital or the establishment of homogeneous linguistic work units, both of which they opposed (24E, 292E, 404E) because of the costs involved, the lowering of standards, the difficulty in finding bilingual staff, the small demand and the division that such a policy could create. They also said that, because staff are grouped together according to skills and area of specialization (there are at least 75 different areas of specialization at the Saint John Regional Hospital), establishing homogeneous work units in hospitals would be impossible. The Dr. Everett Chalmers and Saint John Regional hospitals said that they were in the process of complying with recommendation 79. The Carleton and Charlotte County hospitals did not see the point in doing that in their regions unless all they would have to do is provide an interpreter on occasion. The nurses' association rejected this recommendation because it is "too idealistic ... and could be detrimental to the quality of care" (404E) and that recommendation 80 on specialized services did not affect the Carleton and Charlotte County hospitals. The Dr. Everett Chalmers and Saint John Regional hospitals said they are already in the process of fulfilling this requirement:

> "The draft of our (language) policy accepts the objective of recommendation 80 but we cannot realistically guarantee that all medical and paramedical staff will be able to speak French at all times. More particularly, the cost of recruiting or training a totally bilingual staff of medical tertiary care specialists would erode the quality of all care." (292E)

The nurses rejected this recommendation on the basis of cost (404E).

The use of interpreters as a means of serving patients in their own language was often discussed. The answer given by a representative from the Dr. Everett Chalmers Hospital summarized the English-speaking opinion quite well:

> (establishing a translation system between the patient and the person providing the service) "is not ideal, but it is acceptable ... and can be accomplished very well with a translation service ... the ideal would be for the patient to be able to communicate directly with his doctor or nurse .... I do not believe that it is an ideal we can achieve here in Fredericton." (24E Q)

Discussions also focused on second language training. Participants were hesitant because of the cost and also because it would be a waste of time since the person would afterwards have "few opportunities to use his second language" (24E Q).

2. French-Language Briefs

Two hospitals, two groups of nurses and one group of doctors expressed an opinion on this topic. They agreed on five points:

a. the importance of communications in the health field;

b. the need to provide specialized services in the language of the patient;

c. the importance of homogeneous institutions;

d. the importance of having access to all types of training in one's language;

e. French speakers do not have equality in health care.

One group of Moncton health professionals disputed the claim made by the New Brunswick Nurses Union that language is not of major concern to patients and it said that to ensure good health, which is defined as physical, mental and social well-being, three conditions must be met: the encouragement of a good relationship, the provision of care in an environment conducive to communication, and the training of competent professionals (839F). They added that

> Good communications are an integral part of the helping relationship ... which requires that the therapist be able to communicate with the patient." (839F)

Le Chapitre des Infirmiers et Infirmières de la Péninsule Acadienne was of the same opinion and stated that

> "it is impossible to provide good care unless we respect the patient and are able to communicate with those receiving health care." (631F)

During the question period, the executive director of the Hôpital de l'Enfant-Jésus, in Caraquet, said that it was wrong to think that it was not important to receive care in one's own language because a patient needs to communicate (608F Q).

The Dr. Georges L. Dumont Hospital and its Council of Physicians and Dentists asked that advanced secondary and tertiary care be provided in French-language hospitals. The Council of Physicians pointed out that

> "existing tertiary care is provided as followed: all tertiary services, except haemodialysis, are divided up among the Anglophone hospitals .... It should be noted that some of these tertiary services are provided by two of these hospitals and intensive neonatal care in all three." (850F)

The Dumont Hospital discussed its

> "goal of eventually becoming the tertiary care referral centre for Francophones in New Brunswick"

and described its service development programme for the next five years (753F). It concluded that

> "for the major tertiary specializations, French-speaking patients should have access to a complete French-speaking centre that can provide these services .... The Dr. Georges L. Dumont Hospital has made this its goal." (753F)

Moncton health professionals asked that

> "the government eliminate the discrepancy between the availability of specialized services in the two official languages" (839F)

while the group of nurses from the Peninsula, after providing some examples of injustices experienced by French speakers transferred to English-speaking hospitals for specialized care, asked

> "that specialized health care outside Acadian regions be provided in the patient's language." (631F)

The Caraquet hospital supported recommendation 80 but preferred to see services provided by a French-speaking hospital (608F).

These five briefs either endorsed recommendation 78, which advocated duality for health care facilities (608F, 631F, 839F), or spoke of having French-language hospitals (753F, 850F).

The Dr. Georges L. Dumont Hospital said that one of its objectives is to

> "serve as a training centre for all educational programmes related to health care and deemed necessary by the hospital"

and described the various training centres--medical schools in Québec, with which the province has agreements, l'École d'enseignement infirmier Providence and l'École des sciences infirmières at the University of Moncton, with which the hospital collaborates, the hospital's dietetics residency programme and trainee programme (753F). The hospital's physicians would like to see an agreement between the government of New Brunswick and other provincial governments

> "so that a certain number of residency positions can be reserved for eligible French speakers".

It said that recommendations should be made jointly by the provincial Health Sciences Committee and the Department of Health. It also recommended

> "continuing to catch up in the number of admissions to medical schools and offering specific scholarships to encourage doctors to return to regions that do not have a sufficient number of medical professionals." (850F)

The Moncton health professionals stated that

> "the province of New Brunswick has three schools of radiology technology and one school of laboratory technology

pointing out that all of these schools are unilingual English-speaking. It said that

> "professional upgrading should be provided within New Brunswick in both official languages." (839F)

Finally, the physicians' council at the Dr. Georges L. Dumont Hospital pointed out the significant disparity between English-speaking and French-speaking regions in terms of the number of inhabitants per doctor and per specialist as well as in the number of French speakers admitted to medical faculties and receiving subsidies (850F).

During the question period, the council said that it was possible to find French-speaking specialists by establishing infrastructures to bring New Brunswickers back here after they finish their studies elsewhere (850F Q). The two hospitals indicated that they were able to serve English speakers in their language at all times (608F Q, 850F Q).

A sixth organization should also be mentioned--local 821 of the Canadian Union of Public Employees--the labour union at the Dr. Georges L. Dumont Hospital. It supported recommendations 77, 79 and 80 but did not discuss recommendation 78. It said it understood

> "the importance ... of bilingualism *in some sectors*[1] of our work." (838F)

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1. Underlined in the text

3. Bilingual Briefs

The New Brunswick Nurses' Union, the Nurses Association of New Brunswick, the New Brunswick Hospital Association and the Campbellton Regional Hospital all presented briefs. The New Brunswick Federation of Labour also mentioned this matter.

The Nurses Association of New Brunswick did not express an opinion on recommendations 77 to 80, leaving it to the local branches to do so.

The brief submitted by the New Brunswick Nurses' Union set out two principles. The first was that priority should be given to "the availability of the best health services possible" and stated that

> "during periods of physical health crises, the first concern of the individual is to obtain highly professional treatment ... and also, within reasonable limits, it may be that the language in which they receive services is not of major concern."

The second principle was that

> "the members of the New Brunswick Nurses' Union are wondering about the costs associated with recommendations 78-80 of the report ... (and) they think that, given the difficult economic times in this province, any increase in government funding for the improvement of health care services in New Brunswick would better serve the citizens of the province if this money were used to improve services in the regions of the province which have neither basic services nor access to treatment in either language." (149)

The New Brunswick Hospital Association, which represents 55 hospitals and health care institutions in the province, carried out a survey among its members before preparing its report. It acknowledged that most French-language hospitals are able to serve their patients in both languages but that English-language hospitals, with a few exceptions, cannot. Declaring these to be public institutions subject to the Official Languages of New Brunswick Act would pose problems in the areas of recruitment, second language courses, replacing staff taking courses, resources and cost. Moreover, in many places the demand is small and in English-speaking regions, the turnover rate among French-speaking staff members would probably be considerable (260).

The English-language hospitals were therefore opposed to recommendation 77 and suggested that provincial and tertiary services be available in both languages and that French-speaking employees always be available to serve as interpreters. French-language hospitals did not feel that recommendation 78 affected them because they already provide services in both languages. They were opposed to the recommendation if it means they have to offer dual services, because of the cost. English speakers were also opposed although they would not be if it meant they would be designated as English-speaking institutions. As an alternative, they suggested providing French-language services in regional centres and having one bilingual employee per shift who would act as an interpreter. In general, it was recommended that the status quo be maintained.

Some French-language hospitals said that they already fulfilled the requirements of recommendation 79; others said that it would cause them problems because some of their staff were unilingual French speakers and because they had a limited translation budget. In addition, ambulance services are not always administered by a hospital. With few exceptions, English-language hospitals do not make available the services mentioned in recommendation 79 in French, and some pointed out that they are not responsible for ambulance services. Many English-language hospitals said that they meet the linguistic requirements of their area and did not think it necessary to make changes. Others proposed hiring a limited number of bilingual staff who could act as interpreters, as required.

When discussing recommendation 80, which was seen as pertaining to tertiary services, two large French-language hospitals said that they already fulfilled their requirements to a large extent; another said that some of its specialized services were available in English only. As an alternative, they suggested hiring bilingual staff and offering second language courses. One institution asked for total duality in specialized services, which should be provided by a French language hospital.

English-language hospitals in Moncton and Saint John said that they were in the process of achieving this objective. The Saint John Regional hospital stated "that, with the exception of physicians, the employees of specialized and tertiary services must be bilingual." The other large English-language hospitals thought it would be expensive to comply with the recommendations and that it would lead to a reduction in the level of competence. The Association recommended that the language of service be determined by the hospital's board of directors, a suggestion the Caraquet hospital opposed, and that the government allocate resources to hospitals to eliminate the obstacles that prevent them from providing health care in the official language of the patient.

The Campbellton Regional Hospital, which is an amalgamation of a French-language and an English-language hospital, indicates that it is involved in a far-reaching second language training programme available to any staff member of either institution that wants it. The programme is designed to make them functionally bilingual. An official languages coordinator will be hired to develop and submit an official languages policy to the Board.

> "The Board included a section in its act of incorporation which recognizes the bilingual character of the hospital ... for the purpose of providing quality hospital care in both official languages." (453)

During the question period, the hospital indicated that its second language programme would be difficult to set up elsewhere because of the costs, especially the cost of replacing staff members taking the course. The programme was feasible in Campbellton because of special funding provided by the federal and provincial governments (1530 Q).

The New Brunswick Federation of Labour said

> "that it is very important to ensure that expanding the distribution of health care services in both official languages will allow for the active participation of the appropriate bargaining units too and will not result in the employer imposing unilateral changes in the work place that will negatively affect the rights or benefits that employees of health care services now enjoy." (817B)

B. Briefs from the Public

1. English-Language Briefs

In addition to the 7 briefs already discussed, more than 150 English-language briefs expressed an opinion on hospitals, some of which supported the Report's recommendations. The following were the opinions most frequently expressed

1. quality of care must take precedence over language of service;

2. communicating through an interpreter is satisfactory.

For example:

> "A nurse should be hired because she is effective in providing health care and she has been adequately prepared education and experience-wise. This is particularly true in special units. No nurse should be hired because she can speak French .... In an English-language hospital, there should be a bilingual staff member available who is well trained for the position and can work with the French speakers but this does not mean to say that all nurses in the unit should speak French." (318E)

> "The major concern in health care should be the quality of care that people have the right to expect. No one will very likely refuse expert medical care just because the only specialist available does not speak the patient's language. In hospitals, a nurse or another doctor can, and does, provide bilingual assistance when necessary." (25E)

Others maintained that quality should be the first consideration (206E) and that the quality of health care must have priority over the language it is delivered in (402E).

Some English speakers thought it natural to expect to find at least one doctor who could communicate with them in hospitals located in regions where the other language group is in the majority (6E Q, 8E Q). Others agreed that emergency hospital services should be available in both languages (33E, 357E Q).

> "The fundamental problem, and it requires careful study by health care professionals and administrators, is knowing whether health services should follow the route of elementary and secondary education, i.e. two systems, one French, one English; a network of separate institutions being established for each official linguistic community. This should be carefully studied before being implemented." (204E)

2. French-Language Briefs

In addition to the briefs already mentioned, 110 other French-language briefs expressed an opinion on the recommendations concerning hospitals and, except in minor detail, they were unanimous in supporting the Report's recommendations.

Some wished that the report had gone further. The recommendations on hospitals were discussed with the utmost conviction and in the greatest detail, with many participants describing their experiences in the health care system.

French speakers insisted mainly on:

1. the importance of communication, especially in health care;

2. problems encountered in English-language hospitals that provide tertiary services not available elsewhere, and the demand that services be made available in French;

3. the need to be served in their own language in hospitals, pointing out several hospitals in particular.

Almost all French speakers thought that hospitals should be subject to the provisions of the Official Languages Act (555F, 561F, 628F), that their charters should be standardized and that they should be forced to become bilingual (509F). They all recognized the great importance of being able to communicate with the patient.

> "The health care sector is one in which the patient most needs to express himself in his own language and to be spoken to by the treating physician or nurse in his language." (465F)

> "I believe that patients should be able to describe their symptoms ... in their mother tongue, without having to go through a translator." (31F Q)

> "If there is no communication between these people, how can we call it a quality service; ... a person can be very competent medically speaking but that doesn't mean he will be able to treat a patient if there is no way for these two people to communicate." (630F Q)

Referring to English speakers who said they would not expect hospital services in their language if they had an accident in a French-speaking area, this last participant stated that there was a difference between being hospitalized for emergency care and a French-speaking patient being treated for cancer in Saint John (630FQ). Another participant realized that direct services were not always possible and that when a patient had to receive highly specialized treatment in the other language

> "then you could have someone to translate, although this is not ideal." (664FQ)

The most frequent complaint was the problem of tertiary services offered in Saint John and in the English-language hospital in Moncton. Several people described their personal experiences at these hospitals (516F, 629F, 630F, 640F, 644F), saying that confusion often resulted from the fact that they and the staff could not understand each other. One brief described a considerable number of such cases, including the following one:

> "A young woman with cancer had to go to Saint John for treatment. She neither spoke nor understood English. Her husband, a relative or friend had to stay with her the whole time she was hospitalized, which was several weeks. She felt like a stranger, lost, very insecure because of the lack of communication with hospital staff. When she left her room for tests, she would panic because her husband was not allowed to accompany her and there was no one to explain to her in French the type of tests she had to undergo. The couple told us that for entire shifts there was no one in the care unit who could speak French and this happened very frequently." (630F)

French speakers were unanimous in demanding that such services be at least bilingual if they could not be offered in a French-language hospital (332F, 604FQ, 628F, 631F, 810F, 846F, 848F) and some demanded that these services be provided by a French-language hospital (516F, 629FQ, 630F).

> "We do not think it acceptable for highly specialized medical services not to be provided to clients in both official languages. We are thinking in particular of people with cancer who receive unilingual services in Saint John. *It is not up to the Acadian or the English patient to adapt to the institution rather the institution should adapt to the patient no matter what his language.*" (702F)

Some were particularly insistent that hospitals provide information and emergency services in both languages (31FQ, 643F). Some told of the tragic consequences of being hospitalized when no one understood your language (845F, 846F) or the trauma of a young child being transported by ambulance drivers he could not understand (562F).

One brief said that the services provided by the Chaleur Regional Hospital in Bathurst were generally bilingual, although some specialized services were not bilingual yet. It recommended "that only truly bilingual doctors be hired" (511F). This brief found it regrettable that the hospital's Board of Directors operated in English and that the members of the Board appointed by the city were rarely French speakers or bilingual English speakers. It concluded that

> "all the Board members should be able to express themselves in both languages. This should be a requirement for being a member." (511F)

The group recognized that recommendation 78 would be beneficial to the whole of the province but added

> "that dual hospitals services in the Bathurst region would be difficult to achieve ... (and that) it is essential to promote and to guarantee the quality of bilingualism of these services." (511F)

Some briefs submitted by people in the Acadian Peninsula found the quality of bilingualism at this hospital deplorable (607D).

Two briefs presented in Chatham recognized that some effort had been made at the Hôtel-Dieu in Chatham but they thought the present situation was unsatisfactory and wanted more rapid progress at the Miramichi Hospital (555F, 561F). These groups wanted the future regional hospital to have a sufficient number of bilingual employees and one asked that this hospital be

> "a totally bilingual institution, with all services available to patients in either official language ... (and that) the board of directors of the regional hospital include enough French-speaking representatives from the county so that half the members come from the French-speaking community"

The other group asked that

> "a representative from the French-speaking population of the parishes of Chatham and Newcastle sit on the board." (555F)

Finally, one brief wanted a regional hospital built in the Acadian Peninsula (626F).

IV. Professional Associations

The report made eight recommendations[1] on professional associations and suggested adopting a Professional Associations Act (recommendation 61) which would grant equal status to French and English designations (recommendation 63) and to the French and English versions of protected titles (recommendation 64). The Report

1. Underlined in text.

1. Towards Equality of Official Languages in New Brunswick, p. 449.

recommended that associations be required to write and publish all acts of incorporation and regulations in both official languages (recommendation 62) and that their admission procedures and courses be provided in both official languages (recommendation 65). It said that citizens must be able to communicate with professional associations in the language of their choice (recommendation 66) and that associations must publish their regulations in both languages (recommendation 67). Finally, association members must be able to appear before a disciplinary hearing in their language (recommendation 68).

A. Briefs from Professional Associations

Ten professional associations or association branches submitted briefs, of which five were bilingual, three were English-speaking and two were French-speaking.

1. English-Language Associations

The Institute of Accredited Public Accountants of New Brunswick is in the process of revising its Act, which will be bilingual, will provide titles in both official languages and will provide for the publication of ordinances and regulations in both languages. Courses are offered in English in Halifax and in French at Université Laval in Quebec; the common final examination is offered in both languages. The Association did not describe how it operated linguistically and, although it mentioned the Report's recommendations, it did not express an opinion on them except to make the above comments and to reject recommendation 61. The Institute thought that it had "acted in the public interest." Its new Act would open its meetings to people from outside the profession and the Institute was afraid that the recommended Professional Associations Act would impose restrictions and endanger professional unity in Canada (327E). It did not take a position on the equal status of the Institute's English and French designations or on having disciplinary proceedings available in both languages. The group concluded

> "We plan to advance in a progressive and responsible fashion in order to provide all our services to our members and the public in both official languages." (327E)

The Saint John branch of the Nurses Association of New Brunswick stated that

> "the Report says nothing about what a Professional Associations Act would include."

Therefore, it is "difficult to express an opinion" (404E). The Association wondered whether the Act would replace existing private acts or whether it would be added to them. It agreed with recommendations 62, 63, 64, 66, 67 and 68, provided that local divisions could operate in the language or languages designated by their members. It also agreed with recommendations 65 if it were applied provincially and did not require all schools of nursing to admit students in both languages. It also believed that entry into the profession was not dependent on the number, size or language of the existing institutions because the supply was greater than the demand. Finally, it pointed out that university courses for nurses at the bachelor's, master's and doctoral level must be modified to meet future needs (404E).

The New Brunswick Teachers Association criticized the Report for discussing only professional associations and for neglecting labour and union groups which had more members (634E).

2. French-Language Associations

Some members of the Société dentaire de la Côte nord said that the New Brunswick Dental Society operated almost exclusively in English and that even the regional society, which covered the North Shore and had 31 members, 27 of whom were French-speaking,

> "conducts its meetings mostly in English"

although it

> "intends to correct the situation in the near future." (633F)

The New Brunswick Dental Society is revising its 1953 Act, but

> "the new text to be submitted to the Department of Justice was submitted to us in English"

because

> "the translation was not complete and they could not wait for it to be approved." (633F)

The group also said

> "True equality is no more present here than it is anywhere else in New Brunswick".

It concluded by saying that it strongly supported

> "Recommendations 61 to 68 of the report." (633F)

At the end of the brief presented by the Chapitre des infirmiers et infirmières de la Péninsule Acadienne, which discussed health care services, the group said that it

> "supports the recommendations on professional associations in the Poirier-Bastarache Report." (631F)

and realized that

> "services to the French-speaking members of our association have greatly improved in recent years." (631F)

3. Bilingual Associations

The five bilingual associations said that they already complied with the Report's recommendations and accepted them all, except for recommendation 61 pertaining to the adoption of a Professional Associations Act, which 4 rejected. The College of Physicians and Surgeons did not discuss it.

"The recommendations in the Report do not provide, in the Nurses Association of New Brunswick's opinion, enough details, explanations or descriptions to justify adopting, by law, the recommendations as they are. At present ... we cannot support an act that would have a direct effect on the internal operations of professional associations." (837B)

"In relation to recommendations 61 to 68 inclusive concerning professional associations, would you please take note that this College (of Physicians and Surgeons of New Brunswick) had already put these proposals into effect well before your report. "(328B)

"The Council of the New Brunswick Optometrical Society believes that it is not necessary to enact legislation governing our association. All the recommendations in the report ... except for recommendation 67 are being complied with at present by our association. Recommendation 67 stipulates that professional associations be required to publish their regulations in both official languages. Our association will be taking steps in this direction shortly." (56B)

"The Association of Professional Engineers of New Brunswick adopted, in 1983, a "Policy on the Two Official Languages" which fulfills the requirements of the report's recommendations. This policy has been implemented, with the exception of the translation of the Engineering Profession Act, which is in progress. However, we ... do not support recommendation 61." (824B)

The Association of General Accountants Act, adopted in 1962, is in English only but is now being revised, and it is expected that the new act will be written in both languages even though this is costly and demanding. In practice, the Association uses both versions of its name and the titles of its members. It deals with its members and the public in both languages, offers national examination, courses and necessary material in both languages and, because of a special agreement with the University of Moncton, those who complete the administration programme are exempt from the national examination except for those in the lowest group.

"Because of its size, the New Brunswick Association would not be able to offer all these services without the support of the national association." (843B)

The Association

"will also continue to meet the linguistic needs of its members and the public and does not need legislation to force it to do so. Adopting new legislation would only be a useless intrusion into the development of professional groups ... small associations will resolve certain legislative problems when they feel the need or when they have the means. If any government action is required, it is not at the legislative level but at the financial level, which would allow small developing associations to progress more rapidly." (843B)

B. Briefs from the Public

1. English-Language Briefs

In addition to the three briefs mentioned above, 154 others submitted by English speakers discussed this issue and almost all except 5 were opposed to the recommendations on professional associations. The following are a few examples:

"Few associations, if any, can afford to conduct their affairs in this manner (as recommended in the Report) ... and if everyone were *educated*[1] and trained to be bilingual, then their affairs could be conducted in *either*[1] official language and everyone would understand." (32E)

"Regarding professional associations in the province, we believe that they should be free to adopt the operating methods that are acceptable to their members and, under no circumstances, should an act dictate a predetermined or standardized model." (564E)

One participant rejected the first four recommendations but agreed with admission procedures in both languages and also with the last three recommendations provided the association had legal status (15E).

The Fredericton Chamber of Commerce supported the recommendations except for the first one which proposed a Professional Associations Act (36E).

The Moncton Women's Council agreed

"that professional associations ... should provide all printed material concerning their members, contracts, collective agreements and exams in both languages." (756E)

Finally, one company said

"We support the general intention of all these recommendations (recommendations 61-68) but the opinions and views of the various associations should be heard and an agreement reached before they are implemented." (204E)

2. French-Language Briefs

In addition to the two briefs mentioned above, nearly 110 briefs submitted by French speakers discussed professional associations and almost all endorsed the Report's recommendations.

One organization, however, did not see "the point of a Professional Associations Act (recommendation 61)" and wondered "what the connection was between such an act and the bilingualism of professional associations" (821F).

One participant demanded that French speakers be given the same right as English speakers to obtain a real estate agent's license, and that courses and examinations be available in French (459F).

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1. Underlined in text.

One company believed that two separate associations serving the same profession should not be required to publish their regulations in both official languages (805F) because

> "you would be dividing one activity into two, one group speaking only French and the other, English. We think it would be redundant to ask them to translate all that when it would not be used." (805F Q)

V. Public Utilities

The Report made one recommendation in this area, suggesting that public utilities be subject to the same public service provisions as government departments and agencies (recommendation 76).

The New Brunswick Telephone Company, the main utility affected by this recommendation, submitted a brief and several private citizens expressed opinions.

A. The New Brunswick Telephone Company

This private company understood recommendation 76 to mean that a public utility was subject to the same conditions as the civil service whereas the Report meant it to apply only to services to the public.

The company stated that it provided services and information to its clients and others in both languages: annual reports, advertising, press releases, client training material, accounts, brochures and equipment manuals.

> "A bilingual service is maintained in all areas of contact with the public, in business offices, long-distance services, client training groups, marketing and sales, installation and repair services. We verify our abilities in these areas and are committed to satisfying the needs of the majority of our clients and to introducing any necessary improvements." (253E)

During the question period, the company indicated that a very high percentage of its clients received services in their language and that further improvements would be expensive and would mean laying off non bilingual employees, which it was not prepared to do. It was in favour of hiring bilingual staff and estimated that 45% of the people hired over the past three years were bilingual (253E Q).

But the company clearly stated that

> "it will resist any efforts to have our affairs run by a court." (253E)

The company believed that the recommendations concerning the private sector affected it also and said

> "we are strongly opposed to any proposal that would treat us and our internal operations differently from any other private enterprise. Further restrictions on hiring and internal working languages would be even more detrimental to businesses." (253E)

The company said that providing internal information in both languages would be pointless and costly, would reduce the efficiency of the company's internal communications and would provide no real benefits to individuals. The company

> "will also strongly oppose any attempts to spread duality to the business world (which includes public utilities)." (253E)

Because of the close relationship that must exist, in the world of communications, with the rest of North America, French speakers who want to reach the managerial level in the company "must master English" (253E). The company pointed out that it must, above all, ensure efficient management and competitiveness and that it was concerned about the economic health of the province, which

> "cannot afford the luxury of undertaking programmes that, in themselves, may be positive but that, on the whole, can make the situation worse ... the debate as to whether an English speaker, a French speaker or a bilingual person has a job is academic if there are no jobs." (253E)

B. Briefs from the Public

1. English-Language Briefs

Approximately 150 English-language briefs rejected the recommendation on public utilities, mostly because they rejected the Report as a whole. The Saint John Chamber of Commerce specified that

> "extra costs incurred by public utilities are inevitably passed along to business and individuals and are therefore a matter of major concern. No doubt public utilities will address their concerns themselves." (251E)

Another brief compared Quebec's Bill 101 and recommendation 76 (406E). The Saint John District Labour Council requested that public utilities

> "be required to provide language training during regular working hours where feasible so as to minimize the disruption to the life styles of the workers involved." (286E)

A few briefs, one of them submitted by a company (204E), supported the Report's recommendation regarding public utilities.

2. French-Language Briefs

On this issues, 110 briefs submitted by French-speaking participants endorsed recommendation 76 by their support for the Report in its entirety. Seventeen briefs, however, discussed public utilities specifically, NBTel in particular, and asked that such enterprises be subject to the same requirements as government departments and agencies. The main concern expressed was service to the public. The briefs claimed that these enterprises, which

> "provide a public service and have a monopoly," (160F)

should respect the bilingual nature of the province. Many complained about the quality of the telephone company's linguistic services in the regions of Fredericton (4F, 10F), Woodstock (213F), Grand Falls (160F, 167F), Campbellton (454F, 456F), Chatham (555F, 556F, 561F), Bouctouche (702F, 703F, 707F, 711F, 716F) and Moncton (816F, 846F Q).

They stated that it sometimes took 4 to 5 minutes to obtain service in French (555F); that service by the operator was initially in English only (556F, 561F); and that it was sometimes impossible to get information in French (716F).

A French-speaking group from Perth-Andover complained that

> "this service, considered an essential service by the great majority of people, is nonetheless a unilingual English-language service and a very expensive one in our region"

They saw the attitudes of operators as "intimidating" (213F). They pointed out that the residents of California Settlement pay $1,500 for a private line and must pay almost twice the regular service charge ($30-40). They therefore asked to be included in the Grand Falls region.

Some Bouctouche students pointed out that, to be bilingual, the name of the telephone company should be N.B. Tel N.-B. and added

> "the main problem lies with getting service, or the time that it takes to get the services of one or two bilingual or French-speaking operators"

and they suggested that

> "until such time as all operators are bilingual, French speakers could get service by dialing 2 and English speakers, by dialing 0." (702F)

Such a temporary solution would permit immediate service in the user's language.

The municipality of Cap-Pelé told of its fight to convince NBTel to use Cap-Pelé instead of 'Cape Bald' and added:

> "when we ask for service in French, we have to wait several minutes before being served. We want to recommend that the telephone company install two lines; one for services in French, one for services in English." (703F)

During the question period one presenter said that, when the operator was not bilingual, he was satisfied with being told "One moment please" and then getting service in French a moment later.

The New Brunswick Electric Power Commission was criticized (10F, 702F) for its poor bilingual services and Blue Cross (454F) and Codiac Transit of Moncton (702F) were each mentioned once in this regard.

VI. The Private Sector

The Report contained seven recommendations[1] regarding the private sector:

- "That the Insurance Act, Consumer Product Warranty and Liability Act, Conditional Sales Act, and all other enabling statutes of this kind be amended to provide for the mandatory use of standard form contracts issued in both official languages." (Recommendation 69).

- "That legislative provisions be enacted to declare that all disclaimer clauses shall be inoperative unless brought to the attention of the contracting party or consumer in both official languages." (Recommendation 70).

- "That all manufacturers be required to publish all safety notices in both official languages, such notices to include those that are designated to inform the public by way of labelling." (Recommendation 71).

- "That collective agreements, working conditions and general regulations be published in the two official languages if the employer employs more than one hundred employees or if, of the employees whose terms and conditions of employment are regulated by the collective agreement, forty percent of twenty-five employees request it." (Recommendation 72).

- "That the arbitration of a grievance be held in the official language chosen by the employee who has filed the grievance." (Recommendation 73).

- That labour organizations and unions be required to provide their services in the two official languages to their members under the same conditions as set out for employers." (Recommendation 74).

- "That all employers be required to post or distribute safety warnings intended for workers or for the general public in the two official languages." (Recommendation 75).

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A. Briefs of Participants Directly Involved

1. English-Language Briefs

Ten English-speaking organizations in the private sector submitted briefs: six Chambers of Commerce, two companies, one Business Women's Club and the Saint John Construction Association. One of these organizations did not mention the private sector and two others rejected the Report in its entirety. The Saint John Construction Association argued that

> "the viability of our industry in this province is critically linked to manpower mobility ... this mobility has never been directly related to linguistic factors." (254E)

It concluded by rejecting the Report's recommendations. McCain Foods Limited, a multinational corporation, said it

> "supported the intent of recommendations 69 through 75

and suggested that the opinions of affected parties

> "be heard and their agreement received before implementation." (204E)

The company's representative, responding to a question, pointed out that in the countries in which the company operated, the language of work in the plants was usually that of the country, with managers usually speaking English (204E:Q).

NBTEL claimed that company head offices would be relocated very quickly or that they would not be established in New Brunswick if language restrictions were imposed. It also argued that internal operating procedures in the private sector should not be regulated, directed or supervised (253E).

With regard to manufacturing plants in Charlotte County, the St. Stephen-Milltown Chamber of Commerce observed that

> "it would be extremely difficult and costly to comply with requirements concerning security, safety signs due to the extremely small number of personnel in these plants whose mother tongue is French, the cost of carrying out the recommendations to benefit a very few would be prohibitive, and other means of communication could serve the same purpose." (357E)

The three other briefs took a firm position on each of the recommendations pertaining to the private sector. The Chambers of Commerce of Fredericton (36E), Saint John (251E) and Sussex (413E) approved of recommendation 69, the last two specifying that it should not be compulsory. All three expressed strong reservations with regard to disclaimer clauses. Sussex suggested that telling companies that they might not be able to rely on the clause if the customer did not understand the language in which it was written would be sufficient (413E). Alternatively, Fredericton suggested that,

> "if the consumer wishes to have disclaimer clauses in his own language, he so indicate to the other party and not sign the contract until he is satisfied that he understands the proposed disclaimer." (36E)

Saint John had strong reservations and indicated that this matter should be studied in depth before proceeding with its implementation (251E). As for the obligation of publishing safety warnings in both official languages, this was opposed because of costs (251E) or because it might discourage employers from posting safety notices altogether (36E). One brief suggested using pictograms or universal symbols as an alternative (413E).

Recommendation 72 was rejected by two of these briefs (36E, 251E) while the third felt that it should be amended so that such items would be published in both official languages

> "only when there is a legitimate request thus preventing unionized employees who are all English speakers requiring the publication in both languages"

as a means of causing trouble for the other party during a dispute (413E).

The Saint John Chamber of Commerce added that recommendation 72 could bring about the contrary effect with employers not hiring workers from one of the language groups to avoid reaching the prescribed number of employees (251E).

Recommendation 73 was rejected by all three; one stated that the language of grievance hearings should be part of the bargaining process. Recommendation 74 was ignored by Sussex and rejected by the other two because

> "any increased cost to labour unions would ultimately result in increased cost to the companies in which they operate." (251E)

Recommendation 75 was rejected by Fredericton (36E) and accepted by the other two who suggested, however, the adoption of international pictograms, provided that they were

> "introduced in as economically viable a way as possible, perhaps in a replacement way as existing signage deteriorates." (251E)

2. French-Language Briefs

Six French-speaking cooperatives, companies and Chambers of Commerce submitted briefs, three of which (Caraquet Chamber of Commerce, Coopérative de logement et de production culturelle Ltée, and Le Voilier/Le Point Ltée) simply supported the Report's recommendations without addressing the subject further. The St-François Chamber of Commerce supported the Report's principles but did not address the private sector specifically. The Mouvement Coopératif Acadien, involved in insurance, considered recommendation 69 important (611F) but preferred separate forms in French and English (611F:Q). The Assumption Mutual Life Insurance Company did not feel that

"the government should legislate bilingualism unduly in the private sector."

It favoured measures of encouragement rather than legislation to bring

"the private sector to respect the legitimate needs of both linguistic communities." (905F)

The insurance company supported recommendation 69 but not the publication of contracts in both official languages in *two parallel columns*, as suggested for in the Report. Rather it proposed

"more leniency in order to allow also the publication of contracts in either official language, the choice being the prerogative of the client".

The company perceived this procedure to be less costly and more respectful of each citizen's right to be served in the official language of his choice. A similar suggestion was applied to disclaimer clauses (70).

During the question period, representatives of the company warned against the dangers of forcing the issue

"if municipalities and all levels of government could set the example, I believe that people would get used to it and that businessmen would not take long to follow suit once they saw the benefits that it could bring." (905F Q)

This company, which operates in both official languages, maintained that the costs of a bilingual operation were not sizeable provided that a policy and an appropriate timetable were adopted.

3. Bilingual Briefs

Two bilingual organizations which submitted briefs, the Moncton Chamber of Commerce (806B) and the New Brunswick Chamber of Commerce (940B), were associated with the private sector. Only the former commented on the Report's recommendations, and rejected recommendation 69 because

"it would require legislative changes merely to amend a clause in an insurance contract. Rather the Chamber recommends that standard forms of contracts in both languages be developed with either to be used at the choice of the client." (806B)

It supported recommendations 70 and 71 as well as 72 provided they included a provision that the number of employees was defined as the total number of employees at one site and provided a reasonable amount of time was allowed for the translation of the identified documents. Recommendation 73 was rejected because the Chamber

"cannot agree that the rights of the employer must always be subservient to those of the employee ... (and proposes) the provision of translation services upon request." (806B)

The Chamber supported the last two recommendations, provided the penultimate (recommendation 74)

"be subject to the same numerical limitations as we have suggested for recommendation 72." (806B)

4. Briefs of Labour Organizations

The New Brunswick Federation of Labour, while supportive of the underlying objectives of the recommendations concerning the private sector, acknowledged that these would necessitate "considerable financial expenditure" and was concerned

"about the impact the implementation of those recommendations concerning the private sector would have on the finances of labour organizations which, in most cases, are already very limited. A provincial assistance program similar to that recommended for municipalities is therefore warranted ... and would facilitate the provision of services in the two official languages by labour organizations and unions." (817B)

With regard to the recommendation that arbitration of a grievance be in the official language chosen by the employee, the Federation asked that the same right be extended

"to cover the processing of a grievance through to the arbitration stage,"

including initial grievance meetings. According to the Federation, this would lead to more French-language arbitration hearings and it was therefore imperative "that steps be taken to increase the availability of qualified French-language arbitrators" and the Federation recommended "the establishment of a panel of arbitrators by the Department of Labour and Human Resources" (817B).

Local 821 (Moncton) of the Canadian Union of Public Employees agreed with recommendations 72 to 75 and the Saint John District Labour Council supported recommendation 72 provided that

"the cost of such translation is not passed on to the unions but is the responsibility of the employer" (285E)

and supported recommendation 74 so long as "there was financial aid provided by the government" (285E), when there were one hundred or more employees. Regarding safety warnings, this group recommended the use of "illustrations as opposed to words", so accommodating those who were not familiar with either of the two official languages or who could not read (285E). Finally, the Edmundston Labour Council criticized a major employer in that region, one of whose departmental managers "forbids the use of French in his presence," and they stressed the need "to protect the rights of people employed in the private sector" (112F). They also maintained that

"a union member should be able to choose the language of procedure for the arbitration of a grievance." (112F)

B. Briefs from the Public

1. English-Language Briefs

Over 150 briefs submitted by English-speaking participants addressed this subject. Almost all rejected the recommendations concerning the private sector, either in a general manner or by their rejection of the Report in its entirety:

> "Recommendations 61 to 75 are ludicrous and must have been written by René Levesque in Québec. Who do you think you are to order manufacturers, labour organizations, unions etc., to publish every written word in two languages?" (766E)

Another argued that linguistic legislation was 'anti-enterprise' (823E).

> "Forcing bilingualism on the private sector, or a municipality, should never happen. We are not in the U.S.S.R." (59E)

The briefs referred to the costs involved (28E, 409E, 415E) and to the necessity of letting businessmen get on with running their businesses. (27E, 29E, 57E, 206E, 369E, 405E, 421E, 369E, 766E, 823E, 852E). Legislative interference in the private sector was seen as having the negative effect of chasing away investments and companies (253E, 270E, 271E, 299E, 424E). Some briefs argued that companies already find it hard to survive and face up to competition without having additional linguistic restrictions imposed upon them (28E, 362E, 401E, 415E), especially since in most cases it was the small and more vulnerable enterprises that would be the most affected (362E, 411E).

One businessman submitted that

> "private business has already been loaded with more regulations and expenses than is reasonable ... they cannot afford further limitations and meet competition ... expenses such as this Report indicates are unwarranted." (28E)

One brief favoured bilingual documents for the consumer but questioned the need for collective agreements in both languages (34E). An engineer could not see why government needed to dictate the language of private business; he submitted that an engineer could not put his seal to a document written in a language he did not understand and did not think that a translator had the professional training to grasp the subtleties of a technical document (57E). One brief was not opposed to bilingual contracts but preferred separate forms in English and French (421E).

Some did not oppose bilingualism in the private sector but preferred a more lenient approach based on incentives and encouragement:

> "In talking with colleagues in stores, I have discovered that they are interested in recruiting bilingual personnel on their staff but they are not interested in being forced to do so." (28E Q)

> "I think that, through education, we can convince the private sector that it is an advantage to use standard form contracts in both official languages." (413E Q)

Finally, a few briefs supported the Report's recommendations.

> "I acknowledge their merits if there is a need for them." (574E, also 23E and 829E)

2. French-Language Briefs

Approximately 110 briefs from French speakers addressed the private sector either by endorsing the Report in its entirety or by requesting bilingualism in the private sector generally. In the latter case, they claimed the right to be served in their language in the private sector (164F, 269F, 457F, 561F); they complained about signs and advertising exclusively in English (161F, 703F); or they asked companies to respect the linguistic makeup of the regions in which they operated (616F). One brief from the Campbellton region maintained that the managerial staff of the large firms in that area were unilingual English speakers (467F).

Some, however, were more specific in their comments. The Association du Barreau du Madawaska Inc. gave its unconditional support to the Report's recommendations for the private sector, maintaining that it was basic

> "for appropriate legislation to guarantee that the public will be informed of contractual obligations, working conditions, and consumer activities by making that information available in their language"

and that it

> "does not hesitate to recommend direct intervention by the Legislature in this matter." (100F)

This association added that the recommendations regarding the private sector were in line with Section 16(3) of the Charter

> "which grants Canadian Legislatures the power to promote the equality of status or usage of French and English." (100F)

Some briefs claimed the right to work in one's language in the private sector (509F) and that any firm that operated in a bilingual region and received a government subsidy should be forced to respect the linguistic characteristics of the region (509F). Others saw the need for a monitoring and control mechanism to ensure that signs and advertisements were in both languages (920F). One brief condemned the hypocrisy of a company that provided a service contract for a photocopying machine in English only. The contract stipulated

> "The client acknowledges that, at *his'* request, this contract has been written in the English language." (756F)

One presenter asked that collective agreements be written in both official languages in parallel columns (702F).

A few briefs, however favoured encouragement over the coercive approach taken by the Report.

> "We believe it would be unwise to resort to rigid legislation to force bilingualism on private enterprise. The laws of the market as well as employer-employee relations could eventually lead companies to adopt bilingualism. We feel, however, that the government can do a lot to *encourage*[1] private companies to comply with the province's policy on bilingualism." (754F)

This approach was supported by other briefs (164F, 702F, 705F).

3. Bilingual Briefs

Three briefs from bilingual organizations responded to the private sector recommendations. The Association of Professional Engineers of New Brunswick said that

> "a clear statement of government policy on bilingualism in the private sector is now required." (824B)

Although the city of Moncton acknowledged that bilingualism could be an asset to the city, it nevertheless did not want to impose its policies on any firm that might want to come to Moncton (801B Q); the English-speaking spokesman for the Licensed General Accountants contended that bilingualism was "an issue constantly raised" by firms while his French-speaking counterpart claimed the opposite:

> "I do not think that bilingualism has really affected many businesses up to now. They do not seem worried." (843B Q)

IV. Federated Groups

One sphere, which the Report did not comment upon, may be dealt with here: that of sports, especially sports associations and federations. A few briefs addressed this issue.

A. Briefs from Participants Directly Involved

Four French-speaking organizations involved in sports submitted briefs.

The Société des Jeux de l'Acadie Inc. referred to the Report on Amateur Sports adopted by Cabinet in 1980 as having

> "brought to light interesting facts on amateur sports in New Brunswick and several of its recommendations are just what is needed as a basis for a language policy"

in the field of sports. Regretting that the Report had been left on the shelf, the Société referred to some of its recommendations. These would have divided the province into 14 sports regions, six of which would have been French-speaking, with each region having access to basic support staff. The Report also requested that consultants from the Department of Youth and Recreation be bilingual and be involved in organizing regional branches of provincial sports governing bodies. These bodies, as well as the Sports Federation/Sport New Brunswick, would eventually have two sections, one for each language groups. The Société deplored the fact that government had not adopted a plan or a specific timetable for the implementation of the Report's recommendations. It maintained that

> "there are specific features to the development of sports in French-speaking regions and they work differently than in the English-speaking regions"

and

> "that is why it is so important for French speakers and Acadians to have their own structures." (506F)

During the question period, the Société explained that the specific features stemmed from the difference in the stage of development, in the way things were done and in the choice of sports practiced by French speakers. It also pointed out that, until quite recently, approximately 50 sports governing bodies

> "were controlled by boards of directors composed of 95% unilingual English speakers .... The 5% where French speakers were represented involved sports not practiced by English speakers." (506F Q)

The Restigouche chapter's brief (479F) supported the brief submitted by La Société des Jeux de l'Acadie.

The Associations Sportives du Nord-Ouest du Nouveau-Brunswick suggested "decentralizing services" in the field of sports and made a distinction between problems associated with the practice of sports in the school system and those affecting other sports. For sports in the schools, this brief recommended:

> "an equal representation of French speakers on the different committees working at the school level and that all reports associated with those committees be available to French speakers and English speakers in their language and at the same time." (102F)

As for those sports under the jurisdiction of the Department of Youth and Recreation, the brief regretted that the Department's employees were unilingual and asked for

> "bilingual personnel ... or a sharing of available funds between the two language groups with different Department employees for each group." (102F)

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1. Underlined in text

The brief also described provincial sports governing bodies as "organizations for the English-speaking elite" and identified problems related to transportation, communications, language, equitable representation at the provincial and national levels, training and selection of individuals for national competitions. It recommended duality, with two sports federations and one bilingual coordinator, as well as decentralization of services and a more equitable selection of delegates to national associations (102F).

The Société Acadie en Forme promotes physical fitness for the Acadians of New Brunswick through walking and jogging. This group decided that French speakers needed their own organization because sports governing bodies were controlled by English speakers and needs and perceptions were different. They pointed out, for example, that English speakers tended to prefer provincial organizations while French speakers base their structures around regions. This organization concluded that

> "... French speakers and English speakers should have their own organizations. Past experience has proven that it is very difficult for both groups to work together in sports .... As for physical fitness, jogging and walking, we believe that the linguistic communities are heading in different directions and must do so because their needs and aspirations are not the same." (713F)

The brief asked the Advisory Committee on Official Languages to recommend that government "act quickly on the contents of the Finn-Campbell Report"(713F).

B. Briefs from the Public

One presenter advocated duality in the field of culture and regretted that the Task Force Report did not mention "sport and recreation", ... which

> "will become increasingly important in future society." (615F)

A group of French-speaking students requested

> "that sports governing bodies, as well as cultural organizations, reflect both cultures. Duality is perfectly normal in the field of culture but there must be bilingualism in the field of sports ... the acronyms and the regional and provincial officers should be bilingual in order to offer equal services to both linguistic communities." (702F)

Finally, Section 12 of the Association des enseignants francophones du Nouveau-Brunswick referred to sports by advocating that

> "our communities should ... be able to live in French in their leisure and recreational activities." (705F)

SECTION THREE

GOVERNMENT DEPARTMENTS AND AGENCIES

Because of the importance of government departments and agencies, some more important than others, many of the briefs presented during the hearings discussed whether these could meet the needs of the two official language communities. Some departments, such as the Department of Education, were looked at in a large number of briefs, while others were mentioned in only a few or in none at all. As a result, in the following section, some departments will not appear, some will be grouped together, and the more important ones will be dealt with individually.

I. DEPARTMENT OF EDUCATION

The Report of the Task Force made three recommendations[1] pertaining to the Department of Education:

a) "That a new second language training programme be established within the school system, its purpose being to guarantee that all graduates be at least passively bilingual." (Recommendation 17).

b) "That student exchange programmes, scholarships and special projects be set up in the area of language training to support the policy promoting personal bilingualism." (Recommendation 18).

c) "That the Official Languages Act set out the duty of the government to provide a school system organized on the basis of homogeneous institutions to be administered by the respective official language communities." (Recommendation 19).

Education was by far the most frequently discussed topic in the briefs and, due to the abundance of material submitted, it will be analyzed in two parts: first, reactions to recommendation 19, which deals with duality in education, and, second, language instruction (recommendations 17 and 18).

1. Towards Equality of Official Languages in New Brunswick, p. 446.

A. Duality in Education

1. Briefs of Participants Directly Involved

This was a very large group. Forty French-speaking briefs were submitted, ten of which were presented by school boards; thirteen by branches of the A.E.F.N.B., including the provincial organization; ten by groups associated with the University of Moncton; three by parent groups; two by student groups; one by the Association des conseillers scolaires francophones and one by the Directeurs d'école du district 32. Twenty-five briefs were presented by English speakers: 12 by school boards; seven by parent groups; three by teachers organizations, including the New Brunswick Teachers' Association; one by the University of New Brunswick; one by the New Brunswick Community College and one by a union of public employees directly involved in education.

a. English-language Briefs

Twenty of the 25 English-speaking groups mentioned previously discussed recommendation 19. Fifteen supported it to varying extents, three rejected it and two took an intermediate stand. Those that did support homogeneous schools and school districts said this system was essential to the linguistic and cultural integrity of a group. They said that, despite the extra costs, this system had helped eliminate the major sources of conflict in several areas of the province and had enabled some English-speaking school districts to devote more resources and energy to improving learning opportunities for children. This was essentially the position of the N.B.T.A., which admitted to being philosophically opposed to duality while believing that

> "the logistic and administrative changes that have been made within the Department of Education are fundamentally sound." (634E)

This opinion was more or less shared by 10 of the 12 school boards, two parent associations, the University of New Brunswick and one union. This consensus, however, contained a range of opinions whose advocates can be divided into two groups: those who accepted duality in education and the intention of recommendation 19, which was to include the principle of homogeneous schools and school districts in the Official Languages Act, and those who accepted duality but either thought it unnecessary to include it in the Official Languages Act, did not discuss it, said that policies should be adopted to bring the two linguistic communities closer together. The following excerpts illustrate each position:

> "That recommendation 19 ... become law provided that every child, whatever his first language, can enroll in any language programme in the district in which he resides; and provided that no one is prevented from serving as a member of a school board on the basis of linguistic criteria." (1E)

> "This school board does not see the point of such a proposal given the provisions of the existing Official Languages Act and the recognition of the officially bilingual character of New Brunswick in the Canadian Constitution." (503E)

> "Recommendation 19 has become a reality in New Brunswick; as a result, we only add that this was a step in the right direction by the government at the time." (460E)

> "The school board District 15 considers duality in this field (education) necessary because the aim of the New Brunswick school system is to give every child an elementary-high school education in the appropriate official language ... (and) to learn English and French as second languages .... In order to maximize both equity and accessibility in education, the establishment of parallel systems was essential ... (but this involved an additional) thirty-two positions within the Department (1981-82) at a cost of $1,579,600 (1982-83)." (622E)

> "Recommendation 19 is basically a reality in New Brunswick and the District 8 School Board accepts this reality; however, because this separation isolates the two linguistic groups, the Board reiterates its main concern: every effort must be made to encourage a climate of understanding, cooperation, appreciation and respect between the two linguistic groups." (560E)

> "We have no serious problem with the concept of duality but we strongly dispute statements that it does not duplicate services. Our experience shows that establishing new school districts ... requires ... more executive directors (District 10)." (387E)

Two other briefs took somewhat different positions. One said that a provincial policy like this made sense in some areas but not in the Grand Falls region where many families were linguistically mixed and the children did not see themselves as being French-speaking or English-speaking. They wanted a solution for this region but did not request that the provincial policy be revised (162E-Q). The other appeared to accept duality in education and asked that the budget be distributed according to student population ratios, the English student population being assessed at 67%.

Three groups rejected the recommendation and duality.

One stated that "we believe that" ... homogeneous school districts "have created problems in our school system, "such as loss of contact with French-speaking districts and an increase in the number of accusations and suspicions of inequitable treatment". This group concluded by reiterating "its position against duality and for bilingualism" (1509). Another rejected the Report and found it regrettable that the educational system had helped

> "to create this ghetto (Acadian) by promoting unilingualism in French-language education." (773E)

The third completely rejected the Report (156E).

The briefs discussed a few other topics pertaining to the educational system. Some stated that budgets were sometimes allocated unfairly, some districts receiving more than others, and that the system was abused as, for example, in the case of building more than was necessary. They pointed out the lack of verifiable universal criteria for special projects and wanted an equitable distribution formula to be adopted, along with criteria that were universal and consistent (259E, 844E).

> "The District 20 School Board believes that basic education should be funded by the province in accordance with student ratios to ensure the fair distribution of funds ... seven years after a budgetary formula was adopted, there are still inconsistencies in school board funding ... we think that budget estimates for education programmes and infrastructures should be developed in a responsible fashion, universally and consistently applied and supported by verifiable student enrollment forecasts." (259E)
> "The cost of second language programmes should be covered on the basis of one per capita .... The Secretary of State should stop funding the minority language. Rather, all funds should be spent on second language training opportunities." (844E)

One brief was concerned about the reduction in the province's education budget (255E). Others demanded that parents be free to enroll their children in the enhanced programme of their choice and rejected Section 3.3 of the School Act

> "which prevents the teaching of any useful second language, English or French, to students who are bilingual when they enter either of the homogeneous school systems." (162E, 163E)

They emphasized the need to encourage contact between the two groups in the homogeneous system and to promote a positive attitude towards the two communities by increasing the number of exchanges, courses on the other culture and joint cultural activities (259E, 584E).

The Moncton Campus of the Community College was concerned that the system tended to turn out more unilingual graduates because little effort was being made to develop bilingualism on campus even though the business world wanted more bilingual graduates (776E). One school board complained that although the Campbellton Community College was designated as a French-language institution, 54% of the student population wanted to be educated in English. It asked that courses be offered to the English-speaking population, using existing facilities (480E).

Some maintained that French-speaking representation on the Maritime Provinces Higher Education Commission was adequate (763E, 804E, 844E).

b. French-language Briefs

French speakers unanimously supported homogeneous schools and school districts and, indirectly, duality in the Department of Education.

The homogeneity of the school system is considered essential if the French-speaking community is to flourish because schools play a crucial role in social and cultural development. Organizational homogeneity allows French speakers to control their own affairs and to plan a school that better reflects their culture, mentality and values. It provides them with a more favourable environment for learning and mastering their language and counteracts the assimilating effects of the former bilingual schools. This homogeneous management makes it possible for French speakers to set priorities that suit their needs and to improve school programmes and student/staff services.

Already, homogeneity has improved academic standings, decreased school drop-out rates and increased parent participation. Operating in one language has proved more efficient because meetings no longer have to be bilingual. It also creates greater harmony between the two language groups since educational rather than language problems take the forefront.

Three quarters of these 40 French-speaking briefs discussed and entirely supported recommendation 19. One school trustee, in response to a question, said we would never see the day when the homogeneous system was no longer necessary because

> "more has to be learned than how to communicate, there is a whole range of things ... culture, becoming familiar with the milieu." (502F Q)

The Association des conseillers scolaires francophones said that

> "we don't want any more bilingual school districts and we don't want any more of those assimilating bilingual schools .... The principle of organizing schools and school districts on the basis of language ... must now be included in New Brunswick's Official Languages Act." (2F)

This organization also wanted the government to conduct a "very intensive publicity campaign" (2F) to promote the homogeneous school system. A teachers' group said that the studies of Stacey Churchill and the opinions of such specialists as Ludger Guy, Reno Desjardins, Lionel Desjardins, Normand Robichaud and others all pointed to one and the same conclusion, namely that bilingual schools were a serious obstacle to the development of language and culture because bilingual schools had an assimilating effect and assimilation was a disguised form of "gentle" genocide (109F).

The Association des enseignants francophones du Nouveau-Brunswick also wanted duality included in the Act and suggested that the government set up

"a programme to make people aware of the problems the majority causes French-speaking and English-speaking minorities when they claim their right to French or English schools as prescribed by law." (5F)

The District 51 School Board pointed out that the effects of reorganizing schools and school districts on the basis of language were "already starting to be felt" and stated that

"all the regions in the province do not yet have both an English and a French school board, which is contrary to the Canadian Charter of Rights and Freedoms." (157F, 604F)

This situation was also mentioned by the Association des enseignants francophones du Nouveau-Brunswick, which asked that

"clear procedures be established so the next school board elections will conform to the philosophy of two mutually exclusive school district maps." (5F)

Branch 37 of the Association des enseignants francophones du Nouveau-Brunswick recommended that

"each voter decide which school board he or she will be voting for ... this being made easier by attaching a letter ... to be used for determining whether he or she will receive a ballot for the French school district or the English school district." (456F, see also 604F)

A group of parents from Perth-Andover described the injustices they had suffered at the hands of the school system and the resulting assimilation of a large number of French-speaking families. They pointed out that

"since 1981, French-speaking parents in the Perth-Andover area have been asking the Department of Education to superimpose the school district maps so they can be in School District 32." (213F)

The District 41 School Board was in favour of recommendation 19 and added that "it is easier to respect culture, mentality and language" by handing school board administration over to each of the linguistic communities (502F). The District 53 School Board supported recommendation 19 and acknowledged that the establishment of homogeneous school boards

"has allowed both language groups to manage their own affairs in the area of education, to set their priorities and, therefore, to meet the needs of the students and the community better. The benefits are even more pronounced in the case of minority language school boards where there has been a marked improvement in school and extra-curricular programmes, student/teacher services, and students academic standings. There has also been an increase in parent participation and satisfaction." (556F)

Several briefs stated that it was in education that French speakers had made the most progress and the District 32 School Board summarized this point of view:

"it's unquestionably in this field that the assets of New Brunswick French speakers can be distinguished." (157F)

The Teachers' Association at the Centre Universitaire de Shippagan stated that

"being educated in one's mother tongue is still essential because it allows culture to be passed on and furthers development opportunities." (603F)

Branch 12 of the Association des enseignants francophones du Nouveau-Brunswick said it was important for

"parents to put their children in a school system that reflects their values, that meets their cultural aspirations and that they have control over." (705F)

The District 39 School Board "strongly supports recommendation 19" and recalled the difficulties inherent to running the former bilingual districts, including problems of communicating in both languages (slow, long, frustrating meetings) and policy directions that were often unacceptable to one of the two language groups (706F).

Several briefs, however, pointed out that work in the field of education was not completed and that duality in the Department of Education should be extended to common services (2F, 711F, 857F). Barring that, oral and written communications should at least be available in French (5F, 636F) and an adequate number of bilingual staff provided (707F).

One participant wondered whether the Department's Planning and Development Branch could

"truly appreciate the aspirations and educational philosophy of French speakers." (2F)

Another maintained that

"there should be enough staff assigned to prepare, assess and revise study programmes to ensure that a good job is done." (711F)

When questioned about the possibility of providing one history text to be used by both groups, the director of the Centre d'études acadiennes said that

"the Council of Maritime Premiers is funding a contemporary social history in both languages. The English version is being prepared by people in the English maritime school system and the French version, by people in the French system." (853F Q)

A few French speakers were critical of the fact that legal counsels sent to the school dis-

tricts were usually unilingual English speakers and that sometimes they even

> "wrongly advised the Francophone school boards ... when there are school conflicts as in Grand Falls and Dalhousie." (2F)

Some also raised the problem of the higher cost of French-language textbooks and asked for additional subsidies or the adoption of an

> "equitable weighting factor to compensate for the extra cost." (702F)

A school board, the Home and School Federation and a teachers' group thought it deplorable that there were not enough textbooks for each student to have one to take home (116F, 456F Q, 711F Q). A teachers' group requested equivalent funding to promote the same career opportunities and quality of instruction in physical education, art and music (557F). One group wanted to see cultural activities in the schools (556F), some wanted a French-language community college campus in the southeast (165F, 269F, 705F, 711F) and another wanted enough campuses established to meet the demand (636F). A group of young people requested that "two homogeneous departments of education be established ... that would be in charge of education in each community" (857F). A group of school principals asked that education and culture be handled by one large department with complete duality (165F). The Education Faculty at the University of Moncton maintained that

> "it would be desirable for French speakers to manage all aspects of education that affect them, from kindergarten to university, from day care centres to community colleges." (849F)

Another group believed that

> "to ensure that more rapid development of the University de Moncton and of Acadian communities, it is essential that a Department of Post-Secondary Education be established that would be responsible for community colleges and universities." (104F)

Four briefs asked for increased French-speaking representation on the Maritime Provinces Higher Education Commission (104F, 117F, 603F, 711F). One said it missed the old New Brunswick Commission (603F Q) and, during question period, agreed that the University of New Brunswick should give courses in French just as the University of Moncton gave courses in English because "the province is bilingual" (603F Q). Teachers from the Saint John area requested that the University of Moncton give courses in Saint John "when the number of teachers warrants" (269F).

Finally, another participant asked that the province give the University of Moncton

> "the funding it needs ... to provide quality programmes in a variety of subjects." (849F)

2. Briefs from the Public

a. English-language Briefs

In addition to the 25 briefs already mentioned, approximately 155 others discussed recommendation 19, with all but five rejecting it. About 20 wanted bilingual schools reinstated. One participant wanted a bilingual school system which would offer 50% of instruction in one language and 50% in the other, student exchanges and cultural activities for both groups (9E, 835E). Another proposed a school for both groups where courses would be given in both languages (325E). One brief presented a plan, to become operational within two years, whereby all children would receive instruction in both languages, starting in grade one, so that at graduation,

> "they would be completely bilingual and capable of functioning equally well in both languages."

By 2046, all members of the work force would be totally bilingual and the government could then institute bilingualism requirements for jobs (579E). One brief accepted duality in education but thought it was taking things too far having two photocopiers when two school boards were located in the same building, and two school transportation systems. (470E Q). One group thought that children in linguistically mixed areas should attend the same school (17E). Another said that bilingual schools had served the province well and could still do so better than separate unilingual schools, adding that we live in a bilingual province and not in two unilingual jurisdictions (33E). One group, among others, was

> "strongly opposed to the proposed establishment of a school system based on homogeneous schools and school districts administered by representatives of the official language communities. Another attempt at divide and rule." (263E)

Arguments against duality in education included the need to preserve harmony and unity and to expose the two groups to each other. It was also pointed out that bilingualism originates in bilingual schools. Two young people who had attended a bilingual school admitted that English was the predominant language outside class in these schools (152E Q, 471E Q). Five briefs supported homogeneous schools and school boards (33E, 204E, 286E, 510E, 829E).

A good many briefs said that schools were the reason for the increase in bilingualism in New Brunswick and that this more gradual approach was the only way of ensuring the emergence of a truly bilingual province. Schools should try to provide effective second language instruction in an effort to produce truly bilingual New Brunswickers. The following are extracts from briefs that supported this opinion:

> "It is the opinion of the Saint John Construction Association that *Education rather than Legislation*[1] is the answer to creating a truly unified

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1. Underlined in text

bilingual province .... We believe that a restructured (second language) programme will eventually produce a province in which the entire population will be able to understand and *respect* the linguistic and cultural heritage of each linguistic community." (254E)

"Our main concern is that bilingualism must be implemented in the school system before this action (adopting the report) can even be considered." (409E)

"It's through our educational system that our province will take the biggest step towards individual and linguistic equality." (812E)

One participant, in his discussion of university level education, asked that the University of New Brunswick and the University of Moncton remain unilingual but offer immersion courses in all disciplines in the other language (15E). Another advocated having one university, with several campuses to avoid duplication and excess costs (33E), and bilingual community colleges. The city of Saint John said that giving special status to the University of Moncton was depriving the University of New Brunswick (S.J.) of the funds it needed to expand (270E).

b. French-language Briefs

In addition to the briefs already looked at, 85 others discussed and unanimously supported recommendation 19. One brief added that it would be logical to extend duality to all levels of education, i.e. public schools, community colleges, etc., thereby allowing French speakers to administer all aspects of their education system (749F). A former school principal, in response to a question, said that the day when we would no longer need homogeneous schools was in the

"very, very, very distant future .... Personally, I can't see it, no. We still need homogeneous schools and the problem in the schools is not the second language. It's the mother tongue." (156F Q)

During question period, one organization declared itself against

"the system of duplicating services like school boards because you have two completely different administrations ...." (111F Q)

Several briefs pointed out the difficulties schools had in the past and the considerable progress made in recent years. One participant, for example, thought it unfair that she had to attend school only about thirty years ago when instruction and examinations were almost all in English (166F). A former principal of bilingual schools recalled that it was very difficult to be fair to both groups (156F). One man with experience in the field of education stated that

"forty years ago, only the elementary schools had French programmes. When children arrived in grade seven, they had to use English texts for all subjects except French." (151F)

These people and many others who presented a historical perspective said that it was in the field of education that Acadians had made the most progress. *Duality was considered a* "very significant improvement" (161F) and "a very concrete example of progress" (454F). It was also said that things were much easier "now that we can manage our own affairs in the field of education" (462F).

Another added that

"The field of education has perhaps made the most progress since the 1963 Byrne report and the recent reorganization of the Department of Education in 1974." (465F)

One group mentioned that having homogeneous schools in Moncton,

"has improved things for the French speakers 100%. They now have their own identity and are proud to be educated in their language." (810F Q)

Other improvements thought necessary include extending duality to common services provided by the Department of Education (511F, 606F, 749F) and integrating silviculture (709F) and forest protection (467F) into educational programmes.

The Conseil de promotion et de diffusion de la culture, the umbrella organization for 14 cultural associations, thought

"that cultural programmes must be integrated into the schools and that these activities should be a used as an educational tool to improve the oral and written French of young students." (809F)

Two briefs, one from the Campbellton area, the other from the Edmundston area, complained that French speakers had to go to Bathurst for some community college courses, given in English moreover (112F, 465F). A labour group from Edmundston gave examples of individuals who had failed exams because the courses were given in English and it recommended that industrial training programmes be offered in both languages (112F). A participant from Campbellton, in response to English speakers' complaints made at the hearings the day before, said that although the community college in Campbellton was French-speaking, it also offered courses in English (462F). Another participant, also from Campbellton, complained that English was used by the joint committees set up by the two districts (481F).

One group wanted greater French-speaking representation on the Maritime Provinces Higher Education Commission (607F).

c. Bilingual Briefs

Five bilingual briefs discussed homogeneity. One individual was not convinced that homogeneous institutions were a good idea (123B). The municipality of Campbellton said that second language proficiency

among French speakers had decreased and it accepted duality in education but not at the municipal level (451B). The mayor stated that he would accept a school that had compulsory second language training starting in grade one because

> "if we want to achieve complete bilingualism, that is the only way to do it." (451B)

The city of Bathurst devoted a section of its brief to criticizing duality and stated that

> "in our experience, duality makes no sense,"

but it took no clear stand on homogeneous school systems except to say that

> "if given the chance, through the school system, bilingualism will continue to grow ... it is not natural to separate New Brunswickers on the basis of language or ethnic origin." (505B)

The New Brunswick Chamber of Commerce stated that duality in education did "not promote bilingualism" but its English-speaking spokesman added that he was educated in a bilingual school and could understand the French-speaking position because

> "by the time I left the school system, it was not a French school anymore and I understand the logic behind this ... but each language group must be given the opportunity to learn the other language at school." (840B Q)

Finally, the New Brunswick Federation of Labour said that establishing homogeneous systems

> "had affected the advancement opportunities, the right to union security and the change of employers of school board employees, often without consulting them." (817B)

The Federation concluded that the language situation could not be changed overnight and that

> "careful planning is necessary, starting with our school system." (817B)

B. Second Language Instruction

The Report made two recommendations on second language instruction, the first, asking for a new training programme to ensure that all high school graduates are passively bilingual (recommendation 17); the second, proposing ways to support language training, i.e. student exchanges, scholarships and special projects (recommendation 18).

Both language groups mostly agreed with these two recommendations and a very large majority points out the importance of learning the second official language, of improving second language instruction and encouraging exchanges and other activities that would enable students to perfect their second language. Opinions were divided, however, on what measures should be taken to encourage second language proficiency.

The opinions of participants directly involved in education will be analyzed first, followed by those of the general public.

1. Briefs of Participants Directly Involved

a. English-language Briefs

Twenty-three of the 25 organizations involved in education took a position on second language instruction and support programmes. Most agreed on the following points:

- that French should be taught as a second language. Almost all were opposed to passive bilingualism, saying that it was an insufficient level of second language proficiency and that functional bilingualism should be the goal.
- that the funds necessary to achieve this objective be provided.
- that the importance of support programmes, such as exchanges and scholarships be recognized.

Opinions were more varied, however, on what methods should be used, but it was agreed that better programmes, available to all, were necessary and that there should be many of these programmes, as was, in fact, the case.

All agreed that second language programmes should be offered. School District 20, for example, outlined the history of language training in its schools, which dates back to 1967, and pointed out that continual progress was being made in this field. In September 1984, 6% of its students were in immersion. It acknowledged that these programmes were

> "a means of encouraging mutual understanding and appreciation between the two groups." (259E)

The group, Canadian Parents for French - New Brunswick, recognized that learning French was important because it gave

> "our children opportunities ... to enrich their knowledge, to gain cultural understanding and, yes, ... to access jobs that require bilingualism." (819E)

They asked that all children have access to these programmes. At least three groups wondered whether the French-language school districts offered second language programmes. District 38 discussed its second language programmes, adding that

> "this is in direct contrast with the efforts being made in the French-speaking districts, which do not stress the importance of a second language." (159E Q, 255E Q, 458E)

All except one rejected passive bilingualism, preferring functional bilingualism. The exception was District 42, which

"supports giving all students the opportunity to achieve passive bilingualism." (503E)

School District 26 asked that passive bilingualism be rejected and recommended that the necessary resources be provided to

"develop and implement programmes that will give all students the opportunity to achieve functional bilingualism." (1E)

District 36 maintained that there was a risk recommendation 17 would become a standard and proposed

"supporting an educational system that will give all students who want to become actively bilingual the opportunity to do so." (460E)

Canadian Parents for French thought that

"neither the Poirier-Bastarache Report's recommendations on passive bilingualism nor the Office of Government Reform's recommendation on achieving a level 2 are sufficient .... Passive bilingualism preserves the linguistic and cultural isolation of the individual ...." (819E)

Almost all, therefore, wanted the level of second language proficiency raised and some were critical of the government for not fulfilling its responsibilities in this area for the past 15 years.

"The province of New Brunswick is not committed to the spirit of bilingualism .... Few of the students who graduate today are bilingual even though an Act was passed in 1969." (255E)

"A large part of the province's efforts to implement the goals of the Official Languages Act of 1969 should involve committing itself more to programmes that teach French as a second language." (819E)

"The bilingual capacity of our students should increase as we gain qualify staff, improved programmes and adequate funding for instruction." (822E)

Several briefs referred to the second language testing programme, which evaluates the reading, writing, listening and speaking skills of people who have studied French as a second language. Results are ranked on levels defined as follows:

0 No competence in French.

1 Sufficient knowledge for routine travelling and minimum courtesy requirements.

2 Sufficient knowledge for routine social and limited professional requirements.

3 Can speak the language with enough structural and lexical precision to participate successfully in most official or normal conversations on practical, social and professional topics.

4 Can use the language precisely and fluently at all levels normally required professionally

5 Can speak with the same ease as an "educated native speaker".

District 15 aims at level 2 for its students in the regular programme, 2+ to 3 for students in late immersion and 3 to 3+ for students in early immersion. Fifteen of its 41 immersion students who graduated in June 1984, had reached level 3; 19, level 2+ and six, level 2-. For the whole of the province, 80% of students in grade ten were at level 2 or higher, and 42% of students in grade twelve had reached level 2. A limited survey of students showed that approximately 13% of graduates had reached level 3 or more. District 36, which supplied figures for 1984, added that, in comparison, 23.8% of its graduates had reached this level or higher (460E).

The methods of second language instruction used by the districts can be illustrated by the following chart of current techniques used in five districts:

	DISTRICTS				
	15	20	36	38	42
1. Core programme	X	X	X	X	X
2. Enriched core programme	X		X	X	X
3. Early immersion	X	X	X	X	X
4. Late immersion	X	X	X	X	X

The difference resides primarily in the enriched core programme, also called the enhanced, improved or modified programme. District 36, for example, has added an eleventh month to its regular programme and plans to add 180 hours to the regular programme in 1985-86 for a total of 1,450 hours of second language training. District 42 has, in addition to its core and enriched programmes, a maintenance programme for students who have taken early immersion. Some districts offer or would like to offer other courses in the second language in addition to the actual second language course (162E). Such courses could be added until half are given in one language and half in the other. Normally, the core programme has two levels to suit the aptitudes and desires of the students and it is sometimes offered starting in grade one (460E, 822E), but usually begins in grade three (259E).

Participants directly involved in education were in favour of this multidirectional approach. Some, Canadian Parents for French, for example, clearly supported immersion programmes because

"immersion is the only practical means of making New Brunswick's future adults bilingual." (256E)

"Early and late immersion and the improved core programme should be given top priority by the Department of Education and the government of this province." (819E)

The New Brunswick Teachers' Association

"is in full support of reinforcing the core programme, including extending it to grade one and

having short-term immersion blocs, but this must be accompanied by a slow-down in the expansion of early and late immersion programmes." (834E)

This organization did not support expanding immersion because

"if we reinforce the regular programme without reducing the number of immersion programmes, the result will be a weakened programme for students who remain in the regular English programme. This also means that a significant number of English-speaking teachers now in the system would have to be let go." (834E)

The New Brunswick Teachers' Association, which represents English-speaking teachers, concluded that

"the Department of Education must develop guidelines that will integrate an improved core programme with the existing immersion programmes so the general programme for English-speaking students will not be disadvantaged and so vast numbers of English-speaking teachers will not lose their jobs." (834E)

One group, when answering a question on the effects of immersion on mother tongue proficiency, said that the problem diminished as the child progressed (255E Q). Another group stated that there was a slow-down in children's learning their mother tongue during the first two years but that they caught up later (819E Q). At least two other groups, in addition to the N.B.T.A., were afraid of the effects of immersion on general programmes because they thought that

"English elementary will disappear entirely and enriched core programmes in junior and senior high school will lower the demand for English teachers ... (a second language) seems to have become absolutely essential to having a future in New Brunswick." (458E)

A few groups from the Grand Falls area brought up the problem of learning a second language for children who are bilingual when they enter school because, as in the decision of Chief Justice Richard[1] in the Grand Falls school litigation:

"you do not have the right to take advanced French courses because you are already functional in French; you have to take the rudimentary English courses (Core French) intended for Anglophones who do not speak French." (163E)

This group said that the same was true when teaching English to bilingual French speakers and attacked Section 9(1) of the draft Act proposed in the Report. It also asked that

"subject to regulations which may be adopted by the Lieutenant-Governor in Council with respect to criteria for determination of the mother tongue for the purpose of admission to school"

be removed and replaced by

"and shall be considered with respect to all the objectives of that homogeneous school as a person of the official language of that school." (163E)

District 50 agreed, saying that a child who speaks both languages

"cannot enroll in enriched second language programmes ...."

which seemed to indicate

"that a bilingual province does not appear to be able to deal with children who are already partially bilingual"

because neither of the systems that offered 90% of instruction in one language or the other could meet the needs of this child (162E). The enriched programme could involve teaching one or more subjects, other than the second language, in the second language. It was said that children should not have to take a language test before being admitted to either school but that the choice should be left up to the parents (163E Q).

Some, in response to the allegation that immersion takes the best students thereby impoverishing the regular groups, stated that regular courses were just as good (458E Q) or that this selectivity seemed to be decreasing (834E Q). One group, however, admitted that often students who showed the most leadership and who were role models were the ones who decided to go into immersion (804E).

"I think this is partially true (that immersion takes the best students) in almost all the districts in the province. This is certainly a problem that has been created by an other problem that has been very successful." (560E Q)

Some also regretted that there were not always enough places available to accept everyone who wanted to enroll in immersion (1E, 255E), but most districts indicated that, although in the past they sometimes had to draw names when assigning places, this was no longer true and the demand could be met (259E, 403E, 503E, 822E). One brief also asked that immersion

"offer remedial programmes for children with learning difficulties." (255E)

Opinions varied as to which was better, early or late immersion. In fact, two people who presented the same brief confessed that they disagreed on this question (819E Q). A group of parents pointed out that at an early age,

"students have no 'acquired' fears. They become comfortable in the language before they even realize they are doing something difficult" ... also ... "what a child learns before the age of ten

1. Decision of Chief Justice Guy Richard, Court of Queen's Bench, June 24th, 1983, Edmundston. 48th New Brunswick Reports (2d), p. 361.

becomes part of his basic knowledge that he never loses." (255E)

"The advantage of late immersion is that the student has a good grounding in his mother tongue that he cannot lose." (460E Q)

In reality, 2.7 times more children are in early immersion than in late (819E).

One school board said it preferred having all its immersion courses in one central location (259E Q), while another opted for having its immersion courses spread out in different schools (822E Q). Several indicated that it was important to allow second language teachers to upgrade their training but that this was sometimes difficult and costly, particularly if the teacher had to be replaced for the school year (259E Q). Most school boards employed teachers whose mother tongue was French (503E Q). School District 26 recommended that second language courses be given by bilingual teachers trained to teach a second language and that the universities train student-teachers to teach courses at all levels in the second language (1E). District 20 asked that the province improve the proficiency of teachers who teach French as second language by raising them to level three, using, for example, four to six week periods during the school year (259E).

Finally, Canadian Parents for French said that, in 1984-85, more than 12,463 students were enrolled in early immersion (9,166) and late immersion (3,297) in 89 schools and 21 school districts, an increase of 16.3% over the previous year. To them, the fact that 13% of English-speaking students were in immersion proved that an increasing number of English speakers wanted to learn French through immersion. The group also referred to a Gallup Poll, carried out in 1983, in which 84% of the Anglophones questioned said their children should learn French at school so they would become bilingual and 82% would enroll their children in immersion, preferably early immersion (69%). The reasons for this attraction to immersion are diverse: the job market (46.8%), intellectual enrichment (16.2%), travel opportunities (11.3%), national unity (7.5%) and cultural enrichment (6.9%).

Some participants took a clear position on whether second language instruction should be compulsory. Others did not express an opinion directly but appeared to support a compulsory programme. Still others thought it should be optional. The majority, however, seemed to be in favour of a compulsory programme.

"That second language training be compulsory from grade one to grade twelve." (1E)

"Learning a second language should begin in grade one and continue until grade twelve." (159E)

"Learning a second language should be compulsory in the schools" (255E Q)

."The majority of school trustees believe second language programmes should be compulsory." (403E Q)

District 15 noted that students did not have to continue their second language training after grade ten and thought

"this situation must be rectified to allow students in the core programme to achieve an optimal level of proficiency" (822E). "Yes, (French courses) should be compulsory and the earlier, the better." (560E Q)

At least one school board said that

"passive bilingualism may be a worthy goal but it should not be compulsory for graduation." (503E)

Two briefs asked that a one-year programme be set up, which would be optional and free, and offered to graduates who had taken the second language core programme (564E, 822E). Two other briefs clearly thought that a second language should be taught to students but not to adults (291E, 403E), but several pointed out that it was important for adults to have access to second language training (19E, 22E, 25E), one stipulating that such training be at their own expense (206E). One participant said that people receiving unemployment insurance should be able to take a second language course without losing their benefits (22E, 38E).

A few briefs looked at the special role of universities in second language training. The University of New Brunswick was sorry the Report did not discuss universities and wondered whether duality excluded the possibility of the various universities offering bilingual programmes and special programmes at one location and whether it could continue

"encouraging better bilingualism among its English-speaking students"

by offering a French Proficiency Certificate and a limited number of subjects in French

"to meet the needs of French immersion graduates and to train bilingual students as French immersion teachers." (3E)

District 42 said that, unless English-language universities offered programmes in French, the only option left to immersion students was to go to a French-language university (503E Q).

District 15 stated that,

"with two official languages in New Brunswick, instruction in French at the Community College and at university takes on a new dimension. Courses offered in French must be available to students so they can increase their knowledge of and their proficiency in their second language and graduate from the institution of their choice." (822E)

This school board recommended that post-secondary institutions allow

"both linguistic communities to improve their skills in the second language they have acquired in the public school system"

and that

> "English and French-language universitites be encouraged to accept transfer students so they can take certain courses or options in the language of their choice." (822E)

Recommendation 18 was discussed and accepted by 10 of the groups considered here. It was, however, pointed out that exchanges, scholarships and special projects should not replace the regular second language training one has the right to expect from the school system (1E). It was proposed that cultural activities be held and that cultural material be included in the second language core programme (259E). Anything that might bring the two groups closer together was supported (560E). These programmes were considered important and it was thought that they should be included in the budget, which would elimitate school boards having to worry about finding funds for projects of this type (460E, 822E).

Two-thirds of the participants brought up the problem of funding and asked that the necessary resources be provided so that all students would have access to quality programmes. They also thought the province should get the necessary funding from Ottawa (1E, 291E, 403E). One district wondered whether the federal funds allocated for mother tongue and bilingual programmes were not, in fact, being used for duality (162E). Some were worried about the cuts in education budgets (255E). The District 20 School Board asked that the federal funds allocated for education be clearly identified and fairly distributed, that special projects be funded on the basis of clearly defined criteria and that exchanges and visits be included in the budget (259E). To avoid funding second language programmes at the expense of regular programmes, some asked that additional funds be provided over and above the funds necessary for the regular operations of a school board (460E, 560E, 822E). District 15 estimated that it had to spend an additional $1,553,264 to offer second language courses while it received only $935,596, meaning that

> "other academic programmes might suffer in order to provide second language instruction." (822E)

Home and School groups asked that funding for language instruction be distributed on a per capita basis and not allocated for minority language education. They were critical that funds provided for second language training were in fact used for minority language training (743E, 763E, 804E). It was estimated that, in 1984-85, the federal government contributed $17,970,686 to help cover the additional costs of educating both language groups and of teaching a second language, $14.8 million of which was used for French language education, $2.8 million for French as a second language and $0.5 million for English as a second language. Although it was thought that second language training should be encouraged, this distribution of funds was considered unfair, especially because funding was on the decrease at a time when interest in immersion was on the rise (822E, 834E, 844E).

b. French-language Briefs

Learning a second language was not a major concern for French speakers. 15 of the 40 briefs did not discuss this topic although 10 supported recommendations 17 and 18 through their general support of the Report's recommendations. Some touched on the subject during question period and thought it obvious that a good mastery of English was necessary. They were more concerned with preserving duality and ensuring mother tongue proficiency as shown in these four excerpts.

> "In this district (39), grades 3 to 11 have second language programmes and the students are functional in English .... The problem is getting students to master their own language." (716F Q)

> "A second language should not be learned at the expense of the student's mother tongue ... there is always the danger of assimilation when French speakers are placed in completely English-language programmes." (2F Q)

> "Although we are not against learning a second language, we think more solid mother tongue training should not be neglected. Otherwise, we run the risk of producing not bilinguals, but semi-linguals, who only succeed in mastering half of each language." (109F)

> "Given the English-speaking environment (Saint John) in which our children are growing up, it is essential to reinforce French first." (266F)

A statement by a French-speaking professor at the Edmundston campus of the University of Moncton corroborated these opinions when she said that

> "learning French as a mother tongue is difficult and often incomplete. In fact, less than 40% of the Francophone students who want to study at university are proficient enough in their mother tongue." (103F)

Five other briefs supported but did not comment on recommendations 17 and 18. Half of the briefs being considered here did not formally discuss second language instruction.

Six of the 20 others thought the existing programme satisfactory and adequate, adding that

> "most parents and students recognize the full value of bilingualism." (705F)

Three of them, rather than emphasizing the programme, stressed the need to train second language teachers (10F, 502F, 556F), one being in favour of hiring teachers whose mother tongue was English (10F). At least two school boards stated that functional rather than passive bilingualism should be encouraged and that it could be achieved through the existing programme (502F, 463F, 638F). The Association des enseignants francophones du Nouveau-Brunswick pointed out the

importance of learning a second language in an officially bilingual province and

> "thinks that schools are responsible for providing second language instruction that enables students to meet normal social and work requirements."

It recommended having

> "a quality second language programme." (65F)

A group of teachers wanted

> "the schools to produce bilingual people .... The educational system has to train citizens who will ensure that all Francophones have access to services in their language ... we must be logical and bilingual." (604F)

During question period, this group stated that the mother tongue must come first but that it was important for students to be able to truly understand English so their second language would not be an obstacle. The thought that English language instruction should begin in grade one or that students should at least be introduced to their second language at that time (604F Q). One school board from a linguistically mixed area was opposed to English language instruction in grade one or two (464F Q).

The other briefs wanted existing second language programmes to be improved and the two levels of government to continue funding second language instruction (710F). The French-speaking section of the Federation of New Brunswick Home and School Association wanted

> "second language instruction to be modified so that after grade twelve, students can *read, understand, speak* and *write*[1] (in their second language). The existing programme should therefore be changed so it better meets the needs of society now and in the future." (116F)

Another brief wanted an "enhanced second language programme" (603F).

At least two school boards pointed out that there were two levels of English instruction (165F Q, 458F Q). On the scale of 1 to 5, graduating students were at around 3 although there were some between 1.5 and 2.5. Several briefs mentioned that the level of second language proficiency varied from district to district and even within the same district:

> "Children in Campbellton have ... more opportunity to master a second language than those in St-Arthur or Val d'Amour ... in my district, I rate two or three and that is not enough." (464F Q)

In Saint John and in the Chatham-Newcastle area, English as a second language programme was considered the equivalent of the programme offered in the English schools (268F, 558F).

Three participants discussed the possibility of offering immersion in French-language schools. A group of students form Bouctouche stated that

> "immersion ... should also be considered for French speakers. At the end of grade 12, both French speakers and English speakers should be able to function equally well in both official languages of New Brunswick." (702F)

> "As educators, we also want our children to have the chance to learn English ... they should live for awhile in an English milieu, ... immersion classes should be introduced, specialists should be hired to teach the second language beginning in elementary school." (604F)

During question period, the Association des conseillers scolaires francophones admitted that

> "perhaps there are some very diluted forms of immersion that could be used in French-speaking school districts." (2F Q)

Some, however, were opposed to immersion for French speakers and one participant said, during question period, that he did not support a brief requesting immersion for French speakers

> "but if there were funding available to improve English instruction, we would gladly take it." (711F Q)

Another considered immersion "suicidal" (632F). One brief asked that the funds allocated for teaching French as a second language not be completely separated from funds for teaching English as second language (711F). Another criticized the drawing of names to pick immersion students, saying that access to these programmes should not be limited (269F).

Three briefs pointed out that the University of Moncton offered immersion courses to English speakers (103F, 603F, 803F).

None of the briefs directly discussed whether English instruction should be compulsory but it seemed taken for granted that it should be, especially when it was said that everyone should be bilingual or that second language training should begin early. None of the briefs discussed early or late immersion.

The Faculty of Education at the University of Moncton drew attention to two important theories pertaining to bilingualism. One points out the differences between additive bilingualism, which does not significantly diminish mother tongue proficiency and is common to majority groups, and substractive bilingualism, which often diminishes mother tongue proficiency and is common to minority groups. The other states that the level of second language proficiency depends on the level of mother tongue proficiency. This brief added that

> "the situation of many French speakers in the province is not conducive to their mastering their mother tongue"

and

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1. Underlined in text

"that additional funding should be provided to give the most linguistically deprived young French speakers the opportunity to spend time in milieux where the French language is used routinely in everyday life." (849F)

One brief asked that the Department of Education

"fund a bilingual (television) programme similar to Passe-Partout or Sesame Street"

which

"could be broadcast in French in the morning and in English in the evening or vice versa." (702F)

Another brief maintained that assessments of mother tongue proficiency should be carried out just as was being done for second language proficiency (706F-Q).

The Teachers' Association at the Centre Universitaire de Shippagan advocated establishing a Linguistic Resource Centre to help improve mother tongue proficiency. It could also help English speakers who were learning French by supplying the necessary material and equipment, including the possibility of a New Brunswick French-English dictionary (803F).

Few briefs discussed recommendation 18 but all 25 supported it indirectly through their support of the entire Report. Three briefs discussed this recommendation more explicitly. The District 35 School Board supported the recommendation, but asked

"that funding for second language and minority language special projects be spent on what it is intended for, that it not be lumped in with the general budget of a district and that it be provided in addition to the regular budget that covers the core programme recommended by the Department of Education." (463F)

The District 41 School Board added that funding should be also be available to staff

"to increase second language proficiency among second language teachers." (502F)

The Faculty of Education suggested that

"French speakers for whom school is practically the only place where they are immersed in their own language " (849F)

spend time in a French-speaking milieu.

2. Briefs from the Public

a. English-language Briefs

In addition to the 25 briefs already considered, nearly 190 others discussed second language instruction. The vast majority supported such training as a means of providing access to jobs and for encouraging respect of the reality in the province. One said

"there is nothing to lose in knowing another language." (46E, 294E, 296E)

Fifteen were opposed to second language training. They argued that it was pointless to learn French because it could not be practiced after it was acquired and would therefore be lost (366E). Also, because almost all French speakers were bilingual (63E, 210E), they said, it would be better to teach English to those who did not speak it (63E, 272E, 283E, 845E, 851E, 860E), even through immersion (257E, 281E). Some said they were in favour of learning another language but would rather it be Spanish or some language other than French (53E, 576E, 830E).

About 40 of these briefs said that the only way to implement bilingualism in the province was through education. One brief mentioned the time required to become bilingual and said "what a burden this can be for mothers who work and raise children, often alone, in addition to their housework ...." It concluded "that there is enough anxiety in being a working mother, which is multiplied by the pressures of investing their time and money in learning a second language, without the added threat of losing their job because they are unilingual" (476E).

A few participants were sorry the government had not started offering second language programmes earlier (260E, 470E, 475E) and at least ten criticized the quality of second language training in the past (32E, 260E, 362E, 407E, 409E, 415E, 470E, 748E).

"We firmly believe that the second language programme that now exists in the province needs a lot of improvement. Really good quality and increasing the amount of time the second language is taught." (25E Q)

Another asked that the number of students in second language classes be decreased to around fifteen so teachers could devote more time to each student (29E Q, 565E Q). One recent university graduate said:

"During my early years at school, I took French courses from sixth to eleventh grade; when I graduated from high school, I don't think I was able to ask directions by telephone. The cause of this difficult situation is twofold: (1) the system used to teach the language was based on grammar and did not encourage oral expression; and (2) frankly, I was not at all interested in learning French, which is the case of many New Brunswickers today." (748E)

He learned French later after making French-speaking friends and studying a year in France.

More than 20 briefs wanted second language training to be compulsory starting at a young age (55E, 121E, 124E, 284E, 272E, 318E, 361E, 412E, 421E, 470E, 551E, 579E, 832E) or to continue into high school (359E, 815E), but on the condition, some said, that it not be a requirement for graduation (206E, 572E, 574E). About fifteen other briefs, however, objected to second language instruction being compulsory, thinking it should be optional (33E, 359E, 362E, 369E, 405E,

406E, 415E, 745E, 831E, 832E). A large number, however, demanded that everyone have access to these programmes and, most said, as soon as possible (252E, 260E, 408E, 416E, 851E). A labour group added that adults and especially the unemployed should have access to second language training (265E) and a federal civil servant thought more should be invested in young people and less in people in the work force (762E).

Some accepted passive bilingualism as recommended in the report (17E, 32E, 421E) although one brief wondered about the problems this could cause students coming in from outside the province (674E). Most, however, asked that programmes be improved (254E, 356E, 401E, 565E) so young people could become functionally bilingual (27E, 121E, 152E, 318E, 406E, 552E). Others considered passive bilingualism totally insufficient (362E, 470E, 828E). One brief advocated truly functional bilingualism because learning another language taught people to respect the other culture and passive bilingualism did not (828E).

Opinions varied considerably on what methods should be used to teach functional bilingualism. The 10 briefs that opposed duality in education advocated teaching a second language in bilingual schools where other subjects could also be taught in the second language. A larger group supported an improved or enriched core programme. Some wanted instruction to begin in grade one (814E), while others insisted that the mother tongue should take precedence and that a second language should not be learned at the expense of other subjects (323E). One brief suggested better second language instruction, enriched by one other subject taught in the second language (58E), even if it meant continuing immersion after high school. A typical opinion was to reject immersion and have quality French instruction for all taught by competent teachers (272E).

Twenty briefs rejected immersion, saying it affected the quality of other instruction (277E, 323E, 360E, 368E), and was imposed on parents, either because it implied social status or difficult for their children to find a job later in life (277E, 360E). They were critical of immersion because it was selective and the most gifted went into it, depriving the other classes of necessary stimuli (360E, 477E, 812E). It was also criticized for its negative effects on a student's mother tongue and because it replaced English-speaking teachers with French-speaking ones (368E). It was asked that not too much money be spent on immersion (68E). One participant thought the problem with immersion was that students

> "return home or to another environment where the language is not spoken." (22E Q)

Another 20 briefs were in favour of immersion, which they thought had proved itself to be the only long-term solution (6E, 18E, 280E, 285E, 367E, 358E, 359E, 417E, 470E, 512E, 765E, 828E). One brief referred to the Gallup Poll mentioned previously, according to which

> "the majority believed that immersion was the best way to learn a second language."

This person also said the poll was given only to English speakers (828E). Another claimed that the second language core programme

> "can never make the young people of our province proficient enough in their second language." (470E)

Some said that immersion should be accessible to all (351E, 477E, 575E, 811E), others wanted immersion for both language groups (6E Q, 15E, 359E, 575E) or for professional groups, such as lawyers (470E). Opinion was very divided on whether early or late immersion was preferable. One participant, whose son was in early immersion, thought the programme excellent (417E), but another opted for late immersion

> "because the test results in grade nine, for both programmes, are similar"

and

> "early immersion causes a delay in the ability to function in one's mother tongue." (812E)

One was afraid of culture loss caused by too early immersion (470E Q) and mentioned a study conducted by the Department of Education indicating that both types of immersion were good but that early immersion produced less hesitant speakers (470E Q). Several supported early immersion because it was better to learn while young (276E Q).

One brief asked that children in immersion be accepted in a French-language school after a certain period of time (280E); another proposed exchanges of entire classes to promote contact with and understanding of the other culture as well as linguistic improvement (9E). One brief criticized the inconsistency from district to district and suggested having only one format which would include both the core and immersion programmes (470E). Another also rejected having numerous formats and suggested a school where 50% of instruction would be given in each language, adding that

> "such a programme would probably produce better results." (9E Q)

A third brief did not see the need for one format for the entire province and suggested assessing and searching for other formats in addition to the core programme and immersion (855E). Two briefs pointed out that French speakers were not favourable to immersion for English speakers because it could lead to reduced funding for their own school system and increased English-speaking domination because English speakers would become bilingual (559E, 780E). One participant, favourable to immersion, realized that teaching English to French speakers was a different story because they were threatened by assimilation and had to protect their language. Consequently, methods that had proved successful for English speakers might not be so for French speakers (828E). A group of English speakers said that it was more difficult for them to learn French than the reverse because the cultural environment was less suitable (811E).

Several stated that the way to improve second language instruction was through more competent teachers. Some specified that teachers should be native speakers of the second language they teach and others asked for upgrading programmes for teachers (17E, 124E, 258E, 470E Q, 565E, 835E).

A few briefs did not express a firm opinion but asked that the core and immersion programmes be carefully evaluated (293E, 323E) and that a study be carried out on the most effective way to become proficient in a second language (612E).

Two briefs (305E, 771E) were interested in the language being taught and suggested teaching French that was "useful," i.e. the language spoken in the area. It was pointed out that many French speakers in the province spoke three languages, the French spoken at home, the French learned at school and English (305E). One thought it wrong to teach people French that New Brunswick French speakers could not understand and they recommended that studies be conducted to determine the French spoken here and that a sociolinguistic professorship be established at one of our universities (305E). It hoped for better cooperation between the universities and the second language teachers (305E). The other brief made a similar recommendation, suggesting that a board be established to determine the French spoken by Acadians and to develop appropriate second language instruction manuals (771E).

Finally, none of the briefs objected to recommendation 18, which advocated exchanges, scholarships and special projects, and many supported it, mentioning exchanges in particular (9E, 363E, 365E, 402E, 421E, 470E, 551E, 747E). One brief wanted exchanges offered on a large scale, which would involve not only students but Chambers of Commerce, Home and School Associations, etc, and would encourage holding Acadian conventions in English-speaking areas and vice versa (412E). Another participant noted that

> "there is nothing like being immersed in a culture (through exchanges) to increase your knowledge of it." (9E Q)

During question period, however, one participant indicated that he would not want the "bastardized" (286E Q) French spoken by Acadians to be taught.

b. French-language Briefs

In addition to the 40 participants directly involved in education, 90 other discussed second language instruction. All acknowledged that learning English as a second language was necessary. Some asked that it be compulsory and one group added that kindergartens should accept children of both languages (112F, 455F Q, 618F Q). In many briefs, however, it was implied that second language training should be compulsory.

Almost all supported recommendation 17 although some considered passive bilingualism insufficient (607F, 821F). Many complained about the poor quality of second language instruction (151F Q, 516F) or thought it should be improved (511F, 611F, 820F) so young people would become truly bilingual (507F, 613F, 623F). One brief asked that a study be done on the best way to teach a second language in the school system (712F). Some stressed that what was needed were competent teachers who were truly bilingual (112F, 151F), one adding during question period, that

> "teachers should be required to have a good knowledge of their second language and of the Canadian Civilization built by the people who speak this second language"

It proposed that those studying to become teachers be required to take a course in their second language (151F Q).

Five participants considered the possibility of offering immersion in homogeneous French-speaking areas (455F Q, 613F Q, 614F Q, 618F Q, 628F Q, 630F). Two claimed that you could not lose your first language once it had been learned (614F Q, 618F Q). Some maintained that second language training must begin in grade one and that this would be a good way to conquer intolerance and prejudice (455F, 618F). A few others pointed out that it was important to have mastered your mother tongue because this helped in acquiring a second language (462F, 628F).

One participant said we must avoid producing

> "people who are handicapped in both languages ... who can speak neither language." (509F Q)

Another said that schools should offer cultural activities

> "that would give students more exposure to the spirit of the language." (809F)

All were in favour of the recommendation pertaining to exchanges, scholarships and special projects. One social club said that it had organized a bilingual summer camp for French speakers and English speakers and that it had been very successful (16F).

One brief maintained that learning a second language was more a matter of attitude than aptitude (509F) and another stated that second language programmes did not guarantee the equitable representation of French speakers in the civil service (114F). A third thought the attraction of the English speakers towards immersion was another facet of their desire to dominate (704F).

c. Bilingual Briefs

Almost half of the participants in this set, nine, discussed second language training. Their opinions can be summarized as follows: in order to implement bilingualism in the province, we had to rely on the educational system (505B, 817B, 840B), that second language training must be accessible to everyone (14B, 554B, 715B, 806B, 840B) and that its goal should be functional bilingualism (451B, 715B, 840B). They also thought existing programmes should be improved. In answer to a question, one participant said he agreed that second language training should be compulsory starting in

grade one (451B) and maintained that French speakers who attended homogeneous schools started to lose their English. Finally, a bilingual teacher said that learning a second language would be accepted when attitudes changed.

II. DEPARTMENT OF JUSTICE

The Report made 37 recommendations[1] pertaining to the Department of Justice. These recommendations included:

- the development of training tools and courses essential to the integration of the French language in the practice of law in New Brunswick; (recommendation 20)
- courses in legal terminology for all French-speaking staff in the Department of Justice; (recommendation 21)
- establishment of linguistic proficiency tests to evaluate departmental staff and judges who are required to administer services in both official languages; (recommendation 22)
- access of the public to registry offices be guaranteed by using both official languages in registry indexes, directives and notices and through the linguistic proficiency of the staff; (recommendation 23)
- that the Standard Forms of Conveyances Act have regulations prescribing the use of standard forms for land transfers, mortgages and leases, and that these forms be printed in both official languages, in two columns; (recommendation 24)
- that all judges appointed to the districts of Bathurst, Campbellton, Edmundston and Grand Falls be bilingual at the time of their appointment; (recommendation 26)
- that judges in Moncton be bilingual or be willing to take a language training course; (recommendation 27)
- that at least one judge appointed to each court in the districts of Saint John, Fredericton and Newcastle be bilingual at the time of his appointment or be willing to take a language training course; (recommendation 28)
- that the offices of clerk and crown prosecutor in every judicial district be able to provide services directly, at all times, in both official languages; (recommendation 29)
- that all proceedings be in one language only; (recommendation 25)
- that the language of proceedings in criminal and quasi-criminal matters be the choice of the accused; (recommendation 37)
- that he choice of language be left with the plaintif in civil matters. (recommendation 43)

Other recommendations pertained to the application of the principle of using only one language during proceedings:

- that bilingual duty counsel be available at all times too serve the public in both languages in all districts. (recommendation 31)
- that the Court of Appeal at all times consist of at least three bilingual judges. (recommendation 32)

Thus while one language would be used during proceedings, this would not prevent giving testimony in the other language (recommendation 48) or during the questioning of a witness (recommendation 49) because, in these cases, consecutive interpretation could be employed (recommendations 49 and 52).

The Report also recommended:

- that the function of adjudication in language matters be entrusted explicitly to the common law courts (recommendation 96).

A. Briefs of Participants Directly Involved

Four briefs were submitted by people directly involved in the administration of justice: two by lawyers' associations and one by a law school. The fourth discussed the prison system and was presented by a former inmate.

1. English-language Briefs

Only one brief, presented by the York-Sunbury Barristers Society (458E), expressed the opinion of English speakers in the legal profession.

Although the group accepted recommendations 20 to 24, it asked that the Department of Justice, in cooperation with the University of New Brunswick, establish a programme to help English-speaking lawyers learn French legal terminology. It agreed with making registry offices (recommendation 23) and offices of the clerk (recommendation 29) accessible in both languages provided there was a demand for these services. It also accepted, if necessary, the use of intermediaries "as an integral part of the system."

Because the Charter of Rights recognizes the right of individuals to use the official language of their choice before the courts, the Society rejected recommendations 25, 33-37, 39-43, 45-47, 49, 53 and 54, adding that

> "lawyers have the right to work in the official language of their choice,"

1. Towards Equality of Official Languages in New Brunswick, p. 246 - 248.

a right that is denied in a system of unilingual proceedings.

It also stated that

> "the province does not have a sufficient number of bilingual lawyers in all the parts of the province to support a system of unilingual trials".

The Society, when discussing the recommendations pertaining to the language of judges (recommendations 26 29), acknowledged that people should have access to the courts in both official languages at all times, either through the provision of bilingual staff or through the use of translators.

It supported recommendations 31, 32, 38, 44, 48, 51 and 52. It did accept recommendation 50 but asked that the province assume translation costs.

Recommendations 55 and 56, which pertained to boards and tribunals, were accepted provided these boards and tribunals did not have to consist of bilingual members every time more than one language was used during proceedings. The group believed that translation services must be available.

The Society concluded that any translation costs should be born byt he government because burdening clients with additional costs would be the same as denying people access to the courts.

2. French-language Briefs

The briefs submitted by the Association du Barreau du Madawaska and the University of Moncton Law School (854F) are considered first, followed by the brief presented by a former inmate because he discussed a subject not dealt with by anyone else.

The two briefs agreed with the Report's recommendations on the legal system but said that some of these have been rendered obsolete by the Charter of Rights and Freedoms. One brief added, however,

> "as for the rest (and this includes almost the entire analysis and all the Task Force's recommendations), the Charter says nothing new and resolves absolutely nothing, except to affirm the few individual language rights granted by the 1969 Act and to provide further access to legal services." (854F)

It was therefore necessary to pass

> "laws and take concrete action as recommended in the Poirier-Bastarache Report." (854F)

Both organizations acknowledged that the recommendations pertaining to the language of proceedings (33, 34, 36, 42, 45, 46, 47, 48, 49, 53, 54) had been rendered obsolete but they supported the others, although the Association du Barreau du Madawaska suggested a few changes.

It wanted to take recommendation 26, 32 and 35 further and requested "fluent bilingualism" (100F). It recommended that all judges in Moncton (recommendation 27) be bilingual at the time of their appointment, thereby applying the same standards as in Bathurst, Campbellton, Edmundston and Grand Falls. Recommendation 28, which required that at least one judge in Saint John, Fredericton and Newcastle be bilingual or be willing to take courses, was considered unrealistic, because judges did not have the time to take courses, and discriminatory because there were fewer requirements on the judiciary to serve for the French-speaking minorities in these areas than there were for the smaller English-speaking minorities in Edmundston and Bathurst.

It wanted to change recommendation 35 so that it complied with the Charter, as follows:

> "That judgment be rendered in one or both official languages according to which were used during the proceedings." (100F)

It wanted recommendation 50 to be changed so that consecutive interpretation was "included in the official transcript" (100F).

It asked that recommendation 52 be replaced by the following:

> "That consecutive interpretation be used in all situations where interpretation is allowed,"

which would eliminate the recommendation's restrictive clause.

One participant presented a brief that discussed the administration of correctional centres and asked that 50% of staff be bilingual and the other 50% willing to take a course in the second language (842F). In the interim, he asked that at least two people on every shift be bilingual, including management staff. When assigning convicted persons to particular institutions, the brief requested that

> "the court consider the language of the person charged ... (and) that the prisoner, before being sentenced, be allowed to inform the court of his choice of prison where there might be better service in his language and closer to his family." (842F)

He asked that this recommendations be applied not only to correctional centres and prisons but also to the Kingsclear Centre and to hospitals for the mentally handicapped. When the Young Offenders Act was passed on April 1st, 1985, the St. Hilaire Correctional Centre lost its bilingual status and became a reformatory for young offenders, so there was no longer a French-language or bilingual prison for adults. The brief's author therefore asked that a French-language correctional centre or prison be identified or built in the north of the province. Another brief claimed young people had the right to be served in their language at the Kingsclear Rehabilitation and Correctional Centre (515F).

Pointing out that prisoners had the same language rights as anyone else and describing the injustices

that French-speaking prisoners were subjected to, the author considered the adoption of his recommendations essential to that particular segment of the population.

B. Briefs from the Public

1. English-language Briefs

More than 150 briefs discussed the justice system, most rejecting the Report's recommendations. The vast majority, however, agreed that all citizens had the right to a fair trial in thier language but interpretation and translation were considered acceptable ways of achieving this (368E, 406E, 823E, 828E). One brief thought that the existing system, with interpreters, was adequate and that total bilingualism in the courts was unrealistic because it supposed that everyone was bilingual (565E). The principle of unilingual trials was rejected because it denied the right of the individual to choose his lawyer and ran counter to the Charter (270E, 823E).

Some also opposed the recommendations pertaining to judges because having bilingual judges ran counter to the principle of hiring on the basis of merit (823E), really meant appointing Acadian judges (7E) and was impractical on judges in Campbellton, Bathurst and Moncton (406E). Another pointed out that

> "it's really quite frightening when you imagine a city where 70% of the population, or approximately, is English-speaking, and where all judges are bilingual or presumed to be." (6E Q)

One brief considered the recommendations on the justice system both "prohibitively costly and impracticable" (27E). Recommendation 40, which proposed separate trials when there was more than one accused and different choices of language, was opposed because it could lead to different judgments and the results of one trial could be prejudicial to the other (27E, 421E).

One brief saw requiring bilingual staff in registry offices as another attempt to ensure that French-language services were provided even in English-speaking regions (369E). One participant wondered how French speakers, who were used to the Napoleonic Code, could interpret Common Law texts (67E).

About 10 briefs supported all (23E, 204E, 510E, 829E) or some of the report's recommendations. One brief asked that the process of making legal services available in both languages be accelerated (402E) and another asked that services be improved (834E). The right to legal services in one's own language was recognized (19E-Q, 25E) but it was feared the system would be abused and examples were cited wherein the language problem could be used to elicit delays or to replace the judge, which would be costly and should involve penalties (25E Q). One brief suggested the accused be heard in his language in a location designated by the Department of Justice (415E),

> "thereby preventing continuous expenditures for the continuous training of personnel."

One brief was not opposed to having a bilingual judge appointed for Saint John (285E-Q) and another maintained that an official translation of all legal documents should be made available and that simultaneous translation should be provided (364E). Finally, one brief supported recommendations 20 and 23-29 and asked that all judges be bilingual (15E). It also agreed with recommendations 31, 32, provided judges and lawyers were all bilingual, and 37, which stipulated that the language of proceedings be chosen by the accused, provided the rights of the other parties were protected.

2. French-language Briefs

Approximately 110 French-language briefs discussed the recommendations pertaining to the justice system and almost all supported them. A few discussed only some of them and took no position on them as a whole. They agreed that legal services should be available in both language and that staff in the system should be bilingual (502F, 555F, 636F). Three briefs brought up the special case of Northumberland County, and asked that the Department of Justice provide bilingual staff at all levels there (55F, 561F), and at least one judge in each court, a legal counsel available at all times, an assistant to the clerk and the sheriff, a provincial court stenographer and an office worker in the Registry of Deeds (606F). One brief was critical that, although bilingual property-transaction documents existed, they were not always available at the various offices. The New Brunswick Housing Corporation was also criticized because its forms were only available in English (606F).

One lawyer said that, in his opinion, the Charter granted the right to be understood directly before the courts (101F) and another group rejected receiving services through translation (636F). This lawyer dealt particularly with boards and tribunals, which usually consisted of unilingual English speakers. He cited a 1983 case in which the two parties before the court were almost exclusively Francophone while the five-member tribunal included three English unilinguals. The lawyer for one party refused to proceed but the tribunal overruled his objection, saying that simultaneous translation was acceptable. One of the parties then obtained an injunction while waiting for the Court of Queen's Bench to make a decision on the matter, which decision was never rendered

> "probably because the provincial government was afraid of a court decision which would have affected all the boards and tribunals in the province"

The government preferred appointing bilingual members, he said, adding that

> "the government was forced, by a legal dispute, to comply with the Charter .... It acted out of fear ...." (101F)

One brief was critical that Legal Aid correspondence was sent out in English to French-speaking clients. It also complained that Touche, Ross and Co., a trustee in bankruptcy, refused to provide documenta-

tion in French (643F). Another brief supported the Charter's provisions on the justice system (826F) and another wondered whether it was necessary for all judges in Moncton to be bilingual, saying that the most important thing was for the two communities to be served in their language (821F).

One group (511F) studied the operations of the Department of Justice in Bathurst and noted a sharp increase in the percentage of French-language documents filed with the Clerk's Office so that the two languages were used almost equally. This improvement was attributed to the new bilingual rules of procedure and standard bilingual forms adopted in June 1982. It was also noted that in areas where there were no standard French-language forms — the authentication of deeds, for example — documents were still being submitted in English. At the Court of Queen's Bench, where staff was bilingual, the percentage of questioning carried out in French had been increasing and had reached 60%. Staff members in the criminal courts and at the deed registry office were bilingual but little progress had been made since only about 30% of deeds were drawn up in French, despite the Standard Forms of Conveyances Act which required the use of both languages. The group wanted guarantees that existing French-speaking positions in the judicial district of Bathurst would remain French-speaking and it supported recommendations 23, 26 and 29. After stating that, on the whole, the use of French in legal forms had been increasing as a result of the development of standard forms, the group gave its support to recommendation 20.

The Association des diplômés of the University of Moncton's Department of Translation and Languages (815F) criticized the poor quality of legal interpretation services. It supported the Report's recommendation that there be better communication between interpreters and the legal service, including their knowing beforehand the nature of the litigation and seeing the relevant documents filed by both parties. The association also asked that

> "a viable administrative structure (be set up) that considers both the needs of the interpreters and the needs of the legal system,"

the cost of which would be born by the Department of Justice. In addition, it agreed that examinations were needed to verify the competence of legal translators and interpreters but believed they should be supervised by the Corporation of Translators and Interpreters of New Brunswick or an organization that dealt only in legal translation and interpretation. It added, however, that a specialized programme in legal translation and interpretation had to be developed

> "before any form of monitoring or any examinations are put into practice." (815F)

The association also recommended

> "using some type of parallel format ... for the drafting of laws."

It asked that the work to "gallicize" Common Law continue and be intensified and that the government increase its financial support of the project. One brief supported recommendations 23-29 (465F) and another, recommendations 29 and 31 (705F), neither commenting on the other recommendations. Finally, one brief asked that the Court of Appeal have seven rather than five judges, three of whom would be bilingual (101FQ), because of the increased amount of work and to ensure that there were enough bilingual judges (101FQ). This position was also supported by a group of lawyers (100FQ).

III. Other Departments

The Report did not make specific recommendations on other departments but its recommendations on the whole of the provincial administration apply to them all. Some briefs, however, made comments and recommendations on specific government departments and agencies and these should be mentioned.

A. Departments of Health and Social Services

French-language school boards in the Fredericton and Northumberland areas brought up the problem of English-speaking nurses and social workers who visit schools. The Hôpital de l'Enfant-Jésus in Caraquet mentioned that 80% of the correspondence sent out by the Department of Health was in English (608FQ) and the Commission d'aménagement Beaubassin said that

> "two of the three officers we deal with at the Health office in Moncton are unilingual English speakers. We almost always receive unilingual English replies to our French letters." (721F)

Physicians at the Georges L. Dumont Hospital said that 29.5% of Department of Health employees in the province and 13.7% of those in Fredericton, including two senior civil servants out of twenty-one, were French-speaking. They recommended duality and equitable representation for French speakers in senior management and for the whole of the Department of Health (650F). Others also mentioned the departments of Health and Social Services although they did not think duality should be applied except in services which came into direct contact with the public (164F, 464F). One brief discussed the possibility of handing over the administration of Medicare to the private sector but thought that one condition in the contract should be to provide services of equal quality in both languages (716F).

A few English speakers who were hesitant about expanding bilingualism to the entire civil service recognized the right of individuals to receive essential social and health care services in their language (19E). The District 28 English-language School Board in Campbellton complained that

> "in 1985, the services of provincial organizations, like Social Services, Health and Mental Health, are unacceptable"

and it cited the case of a bilingual French-speaking therapist

> "who could not grasp all the subtleties of another language ... (and could not meet) the needs of our students with profound and complex psychological problems." (458E)

The District 36 School Board (Dalhousie) mentioned the same problem and said that, in the field of public health and social services,

> "there is a shortage of services for the English-speaking population in northeastern New Brunswick. Efforts must be made to ensure that English-speaking residents in the north of New Brunswick can obtain government organization services from employees who are English-speaking both culturally and linguistically." (460E)

B. New Brunswick Workers' Compensation Board

The Workers' Compensation Board, a health-related agency, was the topic of two briefs. One of them was presented by the Association des Accidentés du Travail du Nord-Ouest and the other, by the Association des Accidentés de Restigouche. Although these briefs recognized that some improvements had been made at the central office in Saint John since 1982, including the appointment of a French-speaking vice-chairman and the hiring by the Department of Labour of a perfectly bilingual counsel to defend workers' rights, they considered these actions inadequate and stated that

> "the 40% 'fluently or functionally' bilingual employees at the Board's central office are unable to serve in their language French speakers with an occupational injury." (111F, 461F)

and condemned the excessive delays in assessing French-language claims. No one could be served totally in French and, only too often, French speakers were served through translation. They also thought that one defense counsel was insufficient to cover all the counties with a French-speaking population. They condemned the fact that the Court of Appeal carried out its business in English. They also complained about the services at the Workers' Rehabilitation Centre, which they said was located too far away and had only one physician, one nurse and one occupational therapist who were French-speaking, and they did not necessarily treat all French-speaking accident victims nor were they available at all times.

These two briefs recommended that the central office decentralize its services, as did the report by the Task Force on Workers' Compensation (1980), and establish claim examination, verification, rehabilitation, retraining and counselling services in the northwest and the northeast. Services that were to remain centralized would have an adequate number of fluently bilingual employees. They also asked that the Appeals Committee have French-speaking members, that its affairs be conducted in French when French speakers were presenting their appeals and that two additional defense counsels be hired to cover the three French-speaking regions.

They asked that the Workers' Rehabilitation Centre located in Grand Bay either be dismantled or reserved for the use of English speakers. Accident victims from the northwest were not in favour of establishing a French-language centre but they did want treatment services to be available in their region, which could be done by using existing hospital services. They suggested forming a committee responsible for developing and implementing a decentralized retraining and rehabilitation system (111F). Accident victims from Restigouche County wanted a French-language centre to be established in their region and suggested using one of the two existing hospitals that would be closed down when the regional hospital opened (461F). They also asked of the Workmen's Compensation Board represent the population, that the use of translation be abolished and that services be provided in the language of the claimant.

Eight other briefs echoed the complaints of those two groups.

One accident victim from Saint John said that, in 1980, the centre offered no French services and asked the patients to act as interpreters but

> "I am proud to say that, today, 90% of the therapists, physicians and nurses working in the office and even in the kitchen are bilingual." (311F)

Other participants asked that a rehabilitation centre be established in the the Hôtel-Dieu in Campbellton (467F, 468F) or

> "in an Acadian region so that we can be treated by people who speak French and put an end to the atrocious conditions that now exist in Saint John." (616F)

Another brief asked that

> "French speakers with an occupational injury have access to complete services in their language and that these services be available in the northeast of the province." (628F, 636F)

Another brief criticized the deficiencies, the injustices and the discrimination that existed within the Board and recommended

> "the complete and total division of the Board, i.e. a French-speaking board for Acadians, in additions to the one which now exists." (515F)

Another asked for the complete restructuring of the organization (114F). Physicians from the Dr. Georges L. Dumont Hospital described in detail the bilingual proficiency of staff at the Workers' Rehabilitation Centre in the treatment unit, the pain unit, and the senior management and retraining levels

> "where the facilities available for French speakers are almost non-existent"

and they concluded that the team was not

"representative of the proportion of French-speaking inhabitants in New Brunswick." (850F)

Another problem mentioned was that medical communication was carried out exclusively in English with translation used as required and they wondered

"whether a translation service can be considered as bilingualism"

and added that it

"discourages French-speaking physicians from using their language." (850F; 462F Q)

These doctors recommended that the linguistic composition of medical and paramedical staff reflect population statistics, that the internal administrative structure be effectively bilingual, that French speakers from the northwest and the northeast be better served and that

"training sessions be organized for workers during and after their treatment to help them readapt to the job market." (850F)

C. *Department of Agriculture*

Three briefs submitted by French speakers discussed the Department of Agriculture exclusively. The Comité pour un Institut francophone de formation agricole thought the existing French-language agricultural training services were deplorable. It said that the situation had changed very little since 1975 and that, despite the work carried out by four boards and committees, services consisted of a two-year course offered in Grand Falls.

"that French-speaking producers are sometimes discriminated against"

by government agricultural information services (115F). Examples included television programmes produced in English only; delays in delivering the French version of some documents, departmental studies and reports, delays that

"can result in losses worth thousand of dollars"

for French-speaking producers; and correspondance and specialized services usually available only in English. Also mentioned was the Farm Adjustment Board whose employees were all unilingual English speakers. This brief asks that services of equal quality be provided in both official languages and that the equal and full scale development of both communities be promoted, including taking measures to eliminate inequalities. They also wanted equal representation of both communities at all levels of the civil service and decentralized provincial departments so the needs of the population would be better served (115F).

Enumerating the many pressures to which the farmer is victim, one grain producer emphasized the need for agricultural producers to band together to defend their interests and described a way

"to unite French-speaking agricultural producers under one provincial organization composed of regional organizations which include delegates from regional associations of specialized producers." (168F)

This lobby and intervention group could cooperate

"with the English-speaking organization when the two groups were facing common problems." (168F)

The two groups would be linked by a common structure at the top. The French-language agricultural organization would ensure a means of communication with its members and offer some services, such as collective life insurance and health insurance plans, group purchases and accounting and managerial services. The aim would be to give French-speaking farmers

"a means of collective decision-making." (168F)

Finally, the Comités provisoires du Nord-est, du Nord-ouest et du Sud-est of the Fédération des agriculteurs francophones du Nouveau-Brunswick described the measures being taken to establish a French-language federation which would provide them with a forum and increase the level of participation in agricultural organizations. This was being done because they felt that the existing administration did not represent French speakers and that services offered to producers in French-speaking regions did not always meet their needs (501F). The brief condemned the under-representation of French speakers in the department's central office, where they accounted for only 14% of employees, and in professional agricultural organizations where

"it would be more accurate to speak of non-representation." (501F)

Two years before, none of the Federation of Agriculture's 15-board members was a French speaker and, at this time, there is only one.

The brief pointed out that there were problems with the language of service as well as with the nature of the programmes themselves, which did not reflect the reality of French-speaking regions. It discussed the "systematic discrimination" (501F) within the existing administration, saying that programmes met the needs of English speakers because they were very well represented in the department and on the different boards and committees but that French speakers had little or no representation. This brief recommended equitable representation of both communities in the provincial office of the Department of Agriculture and the decentralization of the department to allow for the adoption of programmes and policies established not only in relation to the needs and priorities of the region but also to give the less privileged and distant regions their fair share. The decentralization recommended in the brief would affect not only management structures but also the distribution of the Department's budgets. It recom-

mended ensuring that the two linguistic communities were developed equally so that

> "in distributing funds among the regions the Department of Agriculture takes into consideration not only the volume of production but also the necessary catching up in less advantaged regions"

During the question period, these participants indicated that equitable representation and decentralization would help the situation greatly and would avoid having to implement duality (601F Q).

Another brief commented that

> "the percentage of oral communication with the public in each language by the Department of Agriculture in Fredericton = 96.5% English." (164F)

It said that this Department was one of the departments in which the application of the four principles of the report should be given priority. French speakers in the Perth-Andover region complained that they were receiving services from the Wicklow Regional Centre, which is unilingual English, and they asked for two superimposed agricultural maps to ensure that

> "the map of the northwest includes the French speakers of Aroostock, Perth-Andover and New Denmark." (213F)

One brief that recommended decentralization added that

> "it is in the interest of all provincial specialists in the Department of Agriculture to be close to the producers they serve." (114F)

D. Department of Fisheries

One brief, presented by the Association des pêcheurs professionnels Acadiens Inc., which dealt exclusively with fisheries, pointed out the importance of fishing to Acadians. It said that even though the proportion of Acadians within the Department was high, unilingual English speakers still held key positions, especially in the discussions held with Québec, which wanted to appropriate more than 60% of the Gulf of St. Lawrence (621F). The brief stated that although these unilingual English-speaking appointments were met by violent protest, because 79.2% of fishermen, 76.9% of plant workers and 72% of the plants are in Acadian areas. After the protest, similar appointments were made, resulting in yet further protests. The brief concluded that the debate was senseless and that there was only one solution: changing the administrative structure to ensure that the problem did not recur. Consequently, the brief demanded

> "that two separate administrative zones be created, each run by an assistant deputy minister,"

one to cover the Bay of Fundy and have English as its working language, the other to cover the Gulf and have French as its working language. This system would allow for better fisheries management, reflect the linguistic characteristics of each region, provide a way to maintain privileged relations with Quebec and to bring fisheries relations in line with the concept of a new administrative region in the Acadian Peninsula. This would be following the example of the federal government which created one administrative zone for the Gulf and another for the Scotia-Fundy region.

A few other briefs condemned the appointment of unilingual English speakers to the Department of Fisheries (606F) and asked that all senior civil servants in that department be bilingual. They supported the idea of adopting two administrative zones, one of which would be for the Gulf (617F). One brief, which recommended decentralization, said that

> "the Department of Fisheries would lose absolutely nothing by relocating to a fishing region." (114F)

E. Department of Natural Resources

Two audio-visual briefs presented by the municipality of Kedgwick and the Conseil J. Arthur Melanson of the S.A.N.B. discussed forestry at great length. They particularly condemned the Crown Lands Act, proclaimed March 31th, 1982, which placed "forest management in the hands of ten companies" run by English speakers. It meant that citizens no longer had access to the surrounding forest, that the forests were over-harvested by the companies, that wildlife was disappearing, erosion increasing and the water level decreasing (467F). They recommended adopting the principle of the universal destination of goods, revising the Act to allow man to be responsible and to participate, abolishing clear-cutting, promoting private woodlot management, making maximum use of residue and developing mandatory silvicultural and forest protection courses in the schools (467F). They especially asked that the Kedgwick - St-Quentin region be made an administrative forestry zone (466F, 467F). They also condemned the fact that the Department of Natural Resources gave courses to forest rangers in English which French speakers had to attend (467F Q). Some briefs complained about unilingualism within the Department of Natural Resources in Fredericton (616F, 721F) and in the Northumberland region (561F).

F. Department of Tourism

One brief said that the tourist information offices represented and were, to tourists, the first symbol of the province and should reflect its bilingual character (702F). Another suggested establishing a permanent Hospitality New Brunswick programme to encourage and facilitate intraprovincial exchanges for young people from the two official language communities (626F). Others complained about the unilingualism within the Department at Sugarloaf Park (454F, 457F, 462F).

G. Board of Management

The appointment of fourteen English speakers to the powerful provincial Board of Management just before the public hearings began was met with violent protest by French speakers either in their briefs or in

their oral statements. They saw these appointments as an obvious sign that government authorities were not really willing to comply with spirit of the Official Languages of New Brunswick Act, the Act Recognizing the Equality of the Two Official Linguistic Communities or the Charter of Rights (601F, 607F, 612F, 614F, 615F, 616F, 617F, 626F). One of these briefs said that

> "the Board of Management is the work of the Office of Government Reform. The father of Bill 88 definitely forgot some of his children. Is this a reflection of the equality of the two linguistic communities act? (607F)

They considered these appointments an insult (615F) and inconceivable (617F).

H. Other Departments and Agencies

The Caraquet Chamber of Commerce complained about the lack of Acadians in departments and on boards that handled economic matters and said that civil servants were often unilingual English speakers

> "who know nothing about our needs and are often antipathetic." (616F)

It particularly mentioned Acadian underrepresentation in Commerce and Development, Municipal Affairs, Transportation (623F, 721F), Labour and Human Resources, and asked that

> "civil servants, in all departments that handle economic matters, who have business relations with French speakers in the province be Acadians capable of understanding our needs." (616F)

The St. Andrews Chamber of Commerce, however, maintained that French-speaking regions had much more influence with the Department of Commerce and Development and believed that most small business grants went to businesses in the north because French speakers had more industrial commissions to handle their affairs (356E).

Some briefs demanded that appointments to provincial boards be based not only on sectorial and geographic considerations but also on linguistic ones (555F, 561F, 616F). One brief regretted that the Motor Carrier Board did not provide services in French and that, to obtain a license, French speakers had to use an interpreter or a lawyer to make themselves understood, a service that costs money (643F). One community planning board complained about unilingualism within the boards under the Department of Municipal Affair's jurisdiction (721F).

Some briefs complained about the services provided by the New Brunswick Housing Corporation in Northumberland County (561F) and especially in Fredericton, which did not even use the legal documents for transferring property rights that were available (606F).

Other briefs complained about unilingualism within the departments of Municipal Affairs (604F), of the Environment (721F), of Supply and Services (623F) and Labour and Human Resources (555F). Some English speakers criticized the fact that the Official Languages Branch had only French-speaking employees (28E). One group complained that the Department of Youth, recreation and Cultural Resources (then one department) gave it an English incorporation application form so that it had to accept a charter written in English (452E). The Conseil de promotion et de diffusion de la culture, however, said it was satisfied with the level of bilingualism in the Department of Cultural Affairs (809F).

SECTION FOUR

IMPLEMENTATION OF THE NEW POLICY

The implementation mechanisms recommended in the Report where discussed in the section dealing with opinions on the principle of bilingualism itself. Some briefs opted for 'legislated' bilingualism, others for 'spontaneous' bilingualism. In addition, the recommendations pertaining to implementation were examined in the section dealing with opinions on duality, regionalization, the civil service and municipalities. However, for a better grasp of opinions on recommendations as a whole, it is useful here to examine in particular the principal trends of opinion on the establishment of an Official Languages Office and an Official Languages Commission and on the adoption of a new Act and a timetable.

I. English-Language Briefs

More than 165 English-language briefs (53.7%) discussed implementation mechanisms and very few, i.e. less than ten, supported any or all of the Report's proposals. They were opposed to the proposed new Act (7E, 28E, 366E, 579E) and thought legislative intervention unnecessary (37E, 251E, 358E, 359E, 406E, 551E, 564E) because the problem was being solved with existing legislation (253E) and the Canadian Constitution was more than adequate (412E). Some briefs agreed that a new act was needed (23E, 510E, 829E). A very large number were categorically opposed to having any supervisory or monitoring body, labelling it language police (19E, 579E,

(534E), Gestapo-like (35E) or Orwellian language courts (6E, 573E). They objected in the name of democracy (401E, 470E) and saw these organizations as an erosion of legislative power (29E, 32E). One brief questioned the objectivity of such organizations (270E) while others saw them as a way of discouraging small entreprise (413E) and scaring away capital (251E). Some pointed out that employment, road construction and the implementation of other services should have priority (253E, 294E). One brief thought it premature to discuss monitoring and supervisory organizations and that all should wait for the Advisory Committee to reach its conclusion before making a decision (204E). Some rejected the idea of having a French-speaking civil servant hiring policy (258E, 559E).

Several briefs objected to adopting a timetable of any sort but most said the necessary amount of time should be taken with emphasis placed on the education of young people, thereby defining the time limit in terms of at least one generation rather than in years. Some said the timetable should last several generations (403E) or several decades (286E); some said they could not accept an accelerated (811E) or definite timetable (834E) and that a timetable must take cost into consideration (551E). Several briefs spoke of a timetable that was reasonable, gradual or related to the educational system (255E, 352E, 404E, 812E). Some English speakers accepted a shorter timetable (23E, 510E) and one asked that it be put into effect right away (629E). In summary, while the timetable described by French speakers was spread over maximum period of ten years, English speakers who accepted a timetable generally though it should last about 20 years, or one generation.

II. French-Language Briefs

Approximately 128 French-language briefs (68.8%) discussed these matters and all except one endorsed the implementation mechanisms, with the exception of a few details, spelled out in the Report. The one dissenting brief was submitted by a municipality that objected to an Official Languages Commission with the authority to sanction, discipline and establish standards, preferring that such a body have only the power to advise, evaluate and make suggestions (701F).

Most French speakers supported the draft Act proposed by the Report although some said that the existing Act should be complied with and enforced first (507F, 634F, 641F, 708F), while others stated that the existing Act was inadequate and that principles had to be developed to implement Bill 88 (601F, 614F). They thought it natural for an act to have mechanisms designed to ensure that it was enforced (647F) because good will by itself was not enough (711F, 716F). They therefor agreed with establishing an Official Languages Commission to act as consultant, ombudsman, supervisor, investigator and mediator (13F, 110F, 157F, 160F, 167F, 266F, 601F, 602F, 620F, 628F, 708F, 711F, 716F, 836F, 858F). One group recommended that the Advisory Committee on Official Languages be made a permanent committee and act as an ombudsman (617F). They also endorsed the establishment of an Official Languages Office to coordinate the implementation of the new language policy (110F, 153F, 157F, 160F, 167F, 266F, 601F, 602F, 620F, 711F, 836F).

Several briefs said that the government must adopt, publicize and provide public information on a clearly defined policy (113F, 207F, 555F, 611F, 613F, 854F). They pointed out the need to adopt a plan and a definite timetable so everyone would be able to follow the progress of the implementation of the adopted policy (610F, 611F, 628F, 641F). Many briefs requested that a definite timetable be adopted and, while some did not specify an exact time limit, they wanted a reasonable time (404F, 709F) which would be evaluated periodically (114F) or which would take only the time necessary (113F); others gave a specific time limit. Some wanted the policy to be implemented right away (613F, 617F, 620F, 642F, 756F, 841F) because they could not wait another 15, 20 or 25 year (602F). Some pointed out that French speakers had already been waiting long enough and that waiting another 15 years was unacceptable (842F) because any further delay would condemn French speakers to living as second class citizens even longer (707F). Others spoke of a gradual (712F) or accelerated timetable, but which should not in any case exceed ten years (612F). Some said it should last from 1 to 5 years (626F), from five to seven years (167F) or ten years (151F, 509F). Two briefs recommended that a logical and reasonable pace be adopted with some sectors taking less time to implement the policy than others (711F, 647F). Generally, most French speakers said that Acadians were patient but that a reasonable timetable should not exceed ten years.

III. Bilingual Briefs

Eight bilingual briefs discussed implementation. They agreed that a definite timetable and monitoring bodies should be adopted (106B); one city spoke of a reasonable timetable (901B) and one professional group accepted the idea of implementing a plan over a certain period of time (824E). Three other briefs objected to having an Official Languages Office or an Official Languages Commission (451B, 505B, 901B). One organization made one general request: that an Official Languages commissioner be appointed who would be responsible for enforcing a new official languages act. He would have the power to investigate, to promote the principle that the two official language groups had the right to fair and equitable treatment, to create public awareness to the concept of the equality of the two official languages and to develop and implement educational and affirmative action programmes within government departments and agencies (606B). One municipality stated that a solution could not be legislated unless the Act truly expressed popular opinion (715B). One group was opposed to the draft Act proposed in the Report (26B).

PART TWO

RESEARCH RESULTS

The Advisory Committee on Official Languages did not wish and did not have the mandate to pursue the research activities of the Task Force. However, it recognized the need to a) verify with the senior civil servants the present policies and directives on language, and b) review and compare the income and education levels between English-speaking and French-speaking populations in the province.

I. STUDY OF DEPUTY MINISTERS' VIEWS ON THE ISSUE OF LANGUAGE[1]

A. Introduction

In September 1985, the Advisory Committee on Official Languages retained the services of Baseline Market Research to conduct a study involving the people who then occupied Deputy Minister level positions in the provincial civil service.

This report summarizes the objectives, methodology and informational results of this project.

This report will begin with an explanation of the objectives which shaped the overall approach of this research.

B. Research Objectives

Because the mandate required an assessment of government operations related to official languages legislation, the Committee recognized the need for more input from government decisions makers. The Committee and Baseline Market Research agreed that personal interviewing was the most appropriate means of data collection.

Discussions between the co-chairpersons of the Committee and BMR staff produced the following research objectives or questions which directed this study:

1) What written policies and directives are available within each department which translate the official language legislation into specific plans for the different departments or agencies?

2) What are the assessed implications for the different departments in terms of staffing needs to meet the stated intentions of official languages legislation and policy?

3) What are the positive and negative aspects of the deputy ministers' efforts to achieve linguistic equality within their departments?

4) What demand estimates exist to document the anticipated changes in the language of services within the different divisions of the civil service?

5) How do the deputies rate the "linguistic health" of their departments?

6) What is the overall attitude of senior management toward the implementation of language policy?

7) What, if any, recommendations or issues would the members of senior management suggest for consideration by the Committee in preparing its final report?

Once formulated, these research questions directed the data collecting and reporting process. The following sections will outline the research methods employed and the results obtained.

C. Methodology

As indicated, personal interviewing was selected as the most appropriate means of data collection.

a) Respondent Contact

Because of the nature of the topic and the type of information to be collected, it was decided that a request would be made of the Premier that he notify each of the 44 potential participants in this study and inform them of his endorsement of the research effort. The Advisory Committee made this request of the Premier and a copy of his notification of eligible respondents is enclosed in Appendix 2.

Once the Premier's correspondence was received, BMR sent a letter to each possible participant (a copy of which is also included in Appendix 3). The list of people who received this letter is also included in Appendix 4.

This letter was followed up through personal contact by BMR staff to arrange the requested appointments. Efforts were made to schedule appointments with each of the 44 people who received letters requesting interviews. Of the 44 contacted:

- five indicated upcoming retirement and a lack of perceived relevance of their opinions on the topic;
- thirty-seven scheduled interviews between September 12 and October 11;
- two, through either a refusal to schedule, non-returned calls or cancellation of appointments indicated their refusal to participate in this study.

1. Study prepared by Baseline Market Research, Fredericton, N. B.

Two others were subsequently contacted for this study, the Deputy Minister in the Premier's Office and a newly appointed Acting Deputy Minister bringing the total interviewed to 39.

At the time of contact with each office BMR staff asked if the deputies would prefer an interview in English or French. Of the 39 final participants, 36 received their interviews in English and three in French.

b) Interview Format

Interviews were conducted by either of two staff people from BMR. One interview, with the agreement of the Deputy Minister, was conducted by both staff people. Interviews were conducted in the Deputy's Office and ranged in time from 45 minutes to two and one-half hours.

All respondents were asked a series of ten questions. A copy of the questions used is included in Appendix B. These questions were designed to stimulate discussion and were not seen as questions having a specific and limited range of answers.

All participants in this study were advised that comments made by them would be confidential. No individual's response or positions would be identified. All material would be presented in aggregate form only.

D. Research Results

a. Introduction

The following pages will summarize the information obtained from the interviews with the 39 members of the Senior Executive Level of the civil service.

This material is designed to provide an overview of the views, opinions and behaviours of senior managers in the civil service related to official languages legislation and policy implementation.

b. Language Policies and Procedures

A primary purpose of this study was to ascertain the presence or absence of policies and procedures related to language within various government departments.

The 39 people involved in this study worked within 35 departments or agencies of the provincial government. Of these 35 divisions, one had a specific policy related to language and two others indicated that they were in the process of developing a specific policy. The remainder indicated that the policy was the Official Languages Act. Most suggested that it was not the specific policy which should be of primary concern in researching the topic but those departmental actions which demonstrate efforts to implement the intent of the Act.

All those interviewed were also asked if specific written directives existed which translated the policy, be it a specific departmental policy or the Official Languages Act, into day-to-day operating procedures. Six of the 35 departments indicated that they had specific written directives which related to the implementation of language policy.

Additionally, most of those who did not have specific departmental objectives suggested that the Board of Management had specified the operating procedures for departments of government in its memo related to the language of communication within the civil service. (Communications related to language obtained from the Board of Management and Cabinet Secretariat are included in Appendix 6.)

As noted, each participant suggested that the day-to-day operational procedures be reviewed in order to assess the implementation of language policy. For example, the most commonly mentioned response to this issue was that the departmental policy was "to deliver service in both languages". This appeared to translate into the ability to respond to written or verbal requests in the language desired by the client (corresponding to the Cabinet Secretariat directive). This also appeared to include the idea that hiring practices were beginning to reflect the linguistic demands of citizens in different areas of the province.

Each person noted that the intent of the Official Languages Act had been achieved by most departments, to some degree, because communication was in the language of the client, internal communication sent to all employees was generally in both official languages and efforts were being carried out to increase the number of bilingual people employed. Most Senior Executives indicated that they received few complaints about the way in which their departments provided services in the language of the client's choice.

c. Policy Review Procedures

Given the lack of specific policies for most departments, the question related to policy review had to be somewhat modified to ask how the different managers measured progress in regard to implementing official languages legislation. This was followed up by an inquiry as to how the managers assessed how far they should attempt to progress in implementing the intent of the legislation.

Of the thirty-five departments involved in this study, the clear opinion of most of the managers was that review of language policy was an informational procedure which involved one or more of the following components:

- complaint monitoring
- internal staff review/assessment
- management committee review
- ministerial input
- linguistic profile update

Three departments indicated a formal review procedure which provided for assessments of major programs and for monitoring goal attainment.

In discussions with these managers it became apparent that the management committees in most organizations are the units responsible for monitoring the "language issue". It also became apparent that this issue is generally monitored only if the deputy is particularly concerned about the issue, if complaints are received, if internal problems arise or if the department has a particular reaction to the information contained in the linguistic profile. These comments indicate a reactive style of management on the issue of language.

Management committees also appear to address language-related issues if asked to comment on the language requirements for staff positions to be filled.

Generally speaking, respondents indicated that language policy issues are not a primary topic for discussion at the management committee meetings. The majority indicated that their department is delivering services in both languages and that progress is being made. The linguistic profile and the number of complaints received were cited most often as the items used for review by the management committee.

In discussing the extent to which they should go in implementing changes in relation to language policy, the majority opinion was that the extent of implementation was determined by the assessment of the Deputy Minister. The appropriateness of action was determined by a blend of intuitive judgment and common sense to achieve an overall balance in the implementation of language policy. The consensus was that if there were an incorrect interpretation of the issues being made, they would be notified, through government or Cabinet, of the need to change their manner of operation. Given the absence of complaints one could assume that they were/are implementing policies in the manner desired.

d. Demand Assessment

Based on the assumption that the language of service delivery is a function of the demand for the service in either language, each manager was asked what needs assessment had been carried out to determine the type and quantity of service demand anticipated.

No department indicated that a detailed needs assessment had been carried out. However, managers tended to equate linguistic demand with the demographic makeup of the different regions of the province.

e. Staffing Issues

To follow up on the exploration of policy and demand issues, questions were asked about the staffing of the different departments. Specifically, each participant was asked how the linguistic criteria for vacant or newly developed positions were set and what problems managers encountered in filling positions within their departments.

It became readily apparent that the first criterion used to determine the language requirement for a particular position was the type of contact required. For example, public contact in a bilingual area required a bilingual person.

The second common factor appeared to be the language requirements within a particular division. For example, if a division had no bilingual ability and yet a perceived need existed, emphasis would be placed on bilingual ability in the recruitment process, regardless of the public contact demand for the position.

In a few departments the assumption was made that all employees who deal with the public should be bilingual, because of the potential service demand in any area of the province.

A small proportion of those interviewed suggested that the language criteria were based on internal needs in areas such as supervision of other staff and internal communication. In some instances it was noted that the language ability/criteria assigned to a particular position were as much a function of the overall "numbers" for the department in terms of the linguistic profile as a function of the service contact for a particular position.

It became apparent that the decision about the language requirements rested with the Deputy Minister for of department.

Once the questions about the determination of the language criteria for a position were completed, each manager was asked if they had any difficulty in filling the designated positions. Several problems were noted. First of all, a common concern was that the pool of eligible/qualified applicants decreased each time a different criterion for selection was added.

Secondly, it was noted that once hired or trained, it was difficult to maintain bilingual people because they were often recruited away by the federal government or by the private sector where pay was significantly higher.

Another factor which influenced the hiring process was the difficulty in recruiting people, in general, for the more remote areas of the province and the difficulty in recruiting some bilingual employees for Fredericton. In Fredericton there seems to be a difficulty in recruiting clerical, secretarial and trades people.

In the process of discussions, several managers noted the Université de Moncton had significantly increased the pool of qualified bilingual applicants for different positions but that there still remained an insufficient number of applicants for the number of positions. Several managers indicated that it would take several years to produce a pool of bilingual applicants more reflective of the total population. These managers also indicated that this increased pool of bilingual applicants would reduce the concern that the emphasis on language skills was producing a lowering of overall skills demanded for particular positions. It should be noted that most managers indicated that this trade-off was not common, but the perception that the trade-off (language skills for job skills) would eventually occur was a commonly expressed concern.

Another factor which was mentioned by several managers was the combined effect of restraint and low turnover rate within the civil service. For example, a recognized need may exist within a department, but the question of the language ability of the current employee may need to be addressed. While training is an alternative, it has limitations as does the potential disruption caused by relocation or retirement of current employees.

Given an assessment of policy development and review, demand assessment and staffing issues, the next step in the interview process involved a discussion of the constraints which these managers believed affected their efforts to bring about linguistic equality within their departments.

f. Management Constraints

In each interview the participants were asked to indicate what they believed were constraints on their efforts to bring about linguistic equality within their departments. Five of the people interviewed suggested that they had no constraints on their efforts to achieve linguistic equality.

Others mentioned several different types of constraints. The most commonly mentioned types of constraints are indicated below (at least 25% of the respondents mentioned each of these constraints):

- the lack of qualified applicants to fill essential positions;
- personal attitudes which suggest a balanced, non-controversial and timely approach to bringing about change or personal attitudes which suggest that sufficient change has occurred;
- the lack of a clear government policy which suggests how far deputy ministers should go in bringing about change in the civil service;
- the lack of clarification of policy in regard to the issue of language of service and culture, as expressed in the following comment: "are we insisting on hiring Francophones or are we talking about delivering services in both languages?"
- the public's attitude on the whole issue of language, summarized as a belief that aggressive change at this time would only be more disruptive to society as a whole; change will occur but it will be over the long run;
- the lack of political agreement on the issue, especially the lack of agreement within the government, and the different signals given to managers by different Members;
- the combined effects of the overall reduction in the number of positions in government, the lower turnover rate and the lack of qualified applicants.

These limitations are closely related to management's perception of the positive and negative aspects of efforts to bring about change in language policy. The interviewers attempted to determine these perceptions and the information collected is summarized in the following section of this report.

g. Positive and Negative Aspects of Efforts to Achieve Linguistic Equality Within Departments

Each person in this study was asked to assess the positive and negative aspects of his/her efforts to bring about linguistic equality within their department.

The most commonly cited positive aspects of efforts are reflected in the following summary:

- the personal satisfaction received from being able to serve everyone in his/her language of choice;
- the awareness that people are more responsive and the quality of the service improves if it is given in the language of choice;
- the knowledge that the environment and overall communication within a department improves if one accepts to operate in both official languages;
- the improved tolerance that develops within the two language communities as a result of efforts to bring about linguistic equality; slowly but surely people are beginning to adjust to the changes and are beginning to develop an understanding of each other;
- the evolving change in the attitude of other senior managers who are becoming more aware of the need for change in regard to language and, as a result, the improved service;
- the change and improvement of the status of the French community which has been brought about, producing a better sense of equality.

The managers also expressed some of the negative aspects of attempting to bring about linguistic equality within their departments. The following comments summarize the most commonly cited negative aspects of the efforts to achieve linguistic equality:

- the frustrations and morale problems which result from a perceived threat of a reduced opportunity for advancement;
- the political intervention in the process which disrupts progress and provides for inconsistent messages to staff, the public and special interest groups;
- the frustration which develops when a problem exists, a desire to change it exists, and then one is unable to find the necessary personnel to solve the problem;

- the perception that a trade-off must be made between language ability and job skill level because of the diminished pool of applicants once the demand for bilingual ability is placed on a position;

- the recognition that, in general, second language training is expensive, disruptive to the operation of the department, and not long lasting because of the absence of the use of French by trained staff on a daily basis;

- the negative feelings in the community which have developed through the mishandling of the language policy issue, including the exploration of the issue by the Advisory Committee; the backlash created has made progress difficult;

- the combination of restraint, financial limitation and the addition of language and gender considerations for each position are making the job of management increasingly frustrating;

- the frustration which results from an awareness that the more that is done, the greater the expectation is and a sense that change can never be sufficient to meet expectations.

Given this overall assessment of reaction to the different aspects of language policy in this province, the final stage of the assessment of current activities involved having each manager rate the overall efforts of his/her department in achieving linguistic equality. The following section will summarize the ratings given by the senior executives.

h. Ratings of Job Performance Regarding Language Issues

Basically, with slight variation, the majority opinion of senior executives is that they've come a long way in changing the delivery of services in both official languages. Many recognize that work remains, but the overall assessment seems to be that they have moved as quickly as possible given political and social constraints, the current pool of employees within the civil service, and the potential for an adverse reaction in the community. In several interviews it was noted that an awareness of language issues had become such an integral part of the structure that addressing language issues was almost an unconscious concern in every decision.

Many managers also seem to indicate that they receive little negative feedback from the general public and that, in general, they see their departments as making a concerted effort at bringing about change.

It should be noted that the majority of managers also see their primary mission as delivering services in the language of the client. A small minority of the senior executives see the mission of government as one which ensures the delivery of services in both official languages and in a way which reflects the culture of the two linguistic communities of the province.

They see, for example, that language of service is not the only issue, but is a part of the broader issue of achieving equality of the two communities through the expanded involvement of French-speaking civil servants in all aspects of government operations and decision making.

It seems that some departments have never had a need to provide services in French and managers of these departments see the language of service issue as unnecessary. For these departments efforts to provide services in both languages met political purposes but did not meet departmental demands based on an assessment of services demanded.

For most departments, the assessment of progress was entirely subjective. The development of the linguistic profile did produce an evaluation based on numbers, but there were really no performance standards against which progress could be measured within a significant proportion of the departments involved in this study. Progress appeared to be based solely on the in-house assessment of the Deputy Minister and other staff with little external or governmental review or input.

However, three departments which had specific performance standards were able to measure their progress against specific standards.

To summarize, the overall assessment of people interviewed is that their departments, while having shortcomings in particular areas, were making efforts to implement the intent of the Official Languages Act and were making reasonable efforts to bring about change.

Following the exploration of the issue as it is today and the overall reactions, each participant was asked to look to the future in anticipating changes resulting from the entrenchment of language rights in the Charter of Rights and Freedoms.

i. Charter-related Changes Anticipated

Each respondent was asked what changes she/he anticipated from enactment of the language rights provision within the Charter of Rights and Freedoms.

Of the people involved in the study, only four people indicated that they anticipated significant changes in departments. Of those, two anticipated major changes throughout government and two indicated minor changes to come into compliance.

As a final point in discussions with senior executives, all were asked if there were any points which they believed might be considered by the Advisory Committee in making its final recommendations on language policy in this province.

The following section summarizes those discussions.

j. Suggested Advisory Committee Considerations

Points for further consideration have been grouped under general categories and are summarized in the following paragraphs:

i) Points related to implementation of language policy

Most deputy ministers recommended that the Advisory Committee consider the need for a long-term approach to implementing any course of action. They suggested, for example, that the system has been changing and that rapid change cannot occur without serious disruption in the overall operations, such as that which would be caused by transfers, layoffs and terminations of existing personnel.

ii) Points related to the issue of ethnic identity

A recurring comment (among at least nine of those interviewed) was that the delivery of service in both languages was the central issue for the civil service – not the numbers of English-speaking and French-speaking civil servants employed in the different government departments.

This type of comment was frequently followed by a statement which opposed the establishment of quotas to achieve the goals of the Official Languages Act. It should also be made clear that no person interviewed suggested quotas as a possible course of action.

There was a clear recognition that the distribution of employees from the French-speaking and English-speaking communities would be changing over time, but this was considered a side effect of the issue of service delivery in both languages. This was also related to the issue of timing in that there was frequent mention of the need to have more English-speaking bilinguals produced through the school system of the province.

iii) Points related to the absence of policy

At least half of the people involved in this study noted that the absence of a more clearly defined policy and direction make it difficult to determine the scope of activities which should be undertaken.

This absence of policy also makes one more subject to the negative reactions or backlash in the community. The difficulty resulting from a lack of policy is compounded by the division in viewpoints among politicians in the government. These different facts have produced an ambiguous situation for the managers involved in trying to bring about change within the civil service.

The development of a government policy and directives related to the implementation of language legislation were viewed as a way of clarifying the direction.

iv) Points about the specifics of government policy

While there was evidence of concern about the absence of policy, concern was also expressed about the type of policy which may be recommended or developed.

The ideal policy seems to be one that suggests a direction for the government, is agreed upon by the members of caucus, and allows the members of the senior executive to manage with the minimum amount of constraints.

v) Points related to second language training

Several deputy ministers made the point that the current, internal process of language training needed review and revision. Concerns mentioned included the need for an appraisal of the cost of the program, the scheduling of the program, the appropriateness of some people selected for participation, and the lack of appropriate, after training follow up. This lack of follow up results in a low retention and utilization rate for the skills acquired through the training process.

Suggestions for consideration related to this issue included the use of in-house teachers or follow up monitors, the recognition of the two official languages as languages of work, and the general switch to a more bilingual milieu.

vi) Points related to the tone of a final report

The common denominator in these discussions was that this was not a time for radical approaches to attempt to solve problems. Comments about the tone of the report suggested a balanced approach ... reflecting some of the views from people with differing perspectives ... with an emphasis on conciliation rather than confrontation.

Information collected suggests that deputy ministers tend to see change as an on-going part of their operation. Some have made rapid progress, others have made little progress and some have achieved what they believe to be the balanced perspective on the issue. Were the viewpoints all considered, one could conclude that the ideal report would be one which encourages progress without alienating and causing a wave of public controversy. It would be the type of report which encourages people to accept change but does not cause them to feel unduly threatened by the change. It would be the type of report which suggests the development of a framework but leaves the implementation of the framework to the senior management of the civil service.

Furthermore, one sensed from the comments throughout the interview process that people in positions in the senior executive level of government believe that solutions and recommendations must be based on a sense of equity and fairness as well as on a common sense type of approach to developing plans for change.

The preceding pages have presented the specific information collected from thirty-nine people involved in the senior executive level of government. As nearly as possible, the differing points of view have been put forward and the points raised during the interview process have been brought to light.

II. Income and Education Information

In the report, "Towards Equality of Official Languages in New Brunswick", the authors suggest that, with few exceptions, the predominately French regions of New Brunswick are characterized by pronounced economic disparity (p.40). To demonstrate these disparities, the authors cited the following socioeconomic factors: manpower utilization, level of education, income based on tax returns, the female labour force participation rate and the urban/rural population distribution.

Based on the report material, the authors concluded that significant economic disparity existed because:

1. Overall, the unemployment rate is higher among the French-speaking community than the English-speaking community;

2. In general, members of the French-speaking community have fewer years of education than members of the English-speaking community;

3. Residents of French-speaking areas are more likely to have lower overall incomes than residents of English-speaking areas;

4. The two regions with the highest number of social assistance cases are also the regions with the highest proportion of French-speaking inhabitants;

5. In all counties (except Westmorland) with a large French-speaking population, one finds a lower female participation rate and a higher rate of female unemployment among women;

6. The effects of disparities which characterize rural areas are more pronounced in the case of the French-speaking community given that more French-speaking residents live in rural areas.

To follow up on this analysis, the Advisory Committee requested an updated review of the income and education levels for New Brunswick.

Based on information available through 1982, we have prepared the following material to summarize the overall distribution of reported income in the different areas of New Brunswick. Table 1, clearly demonstrates that differences in reported income can be found in the different area of the province.

Based on the information summarized in Table 1, the following observations can be made:

1. In the 10-year period covered in this summary, the reported income levels in counties where French is predominant consistently fall below income levels for New Brunswick as a whole and for the bilingual counties or the counties where English is predominant.

2. While the overall level of income may be changing, the gap in income levels among residents of counties where French is predominant and counties where English is predominant has remained throughout the 10-year period.

TABLE I
INCOME DISTRIBUTION TABLES
Taxable Income: 1972-1982

INCOME LEVELS	YEAR	NEW BRUNSWICK	FRENCH COUNTIES	ENGLISH COUNTIES	BILINGUAL COUNTIES
Below $5000	1974	46%	9%	42%	45%
5 - 10 000		34%	3%	34%	34%
10 - 15 000		15%	13%	16%	15%
15 - 20 000		4%	3%	5%	4%
OVER $20 000		2%	1%	3%	2%
Below $5000	1975	38%	44%	37%	39%
5 - 10 000		33%	34%	33%	34%
10 - 15 000		18%	17%	19%	18%
15 - 20 000		6%	5%	7%	6%
OVER $20 000		4%	2%	5%	3%
Below $5000	1976	35%	38%	32%	35%
5 - 10 000		32%	35%	30%	32%
10 - 15 000		20%	18%	20%	21%
15 - 20 000		9%	7%	10%	8%
OVER $20 000		5%	4%	7%	4%
Below $5000	1977	32%	33%	30%	32%
5 - 10 000		31%	35%	30%	31%
10 - 15 000		20%	18%	20%	20%
15 - 20 000		11%	9%	12%	11%
OVER $20 000		7%	5%	9%	6%
Below $5000	1978	38%	41%	36%	39%
5 - 10 000		26%	29%	25%	27%
10 - 15 000		18%	16%	18%	18%
15 - 20 000		10%	9%	11%	10%
Over $20 000		8%	6%	9%	7%
Below $5000	1979	36%	40%	34%	38%
5 - 10 000		25%	27%	23%	25%
10 - 15 000		18%	15%	18%	18%
15 - 20 000		11%	9%	12%	11%
Over $20 000		11%	8%	12%	9%
Below $5000	1980	34%	36%	32%	34%
5 - 10 000		23%	26%	21%	23%
10 - 15 000		18%	18%	19%	18%
15 - 20 000		11%	9%	12%	12%
Over $20 000		13%	10%	17%	12%
Below $5000	1981	31%	34%	29%	31%
5 - 10 000		21%	25%	20%	22%
10 - 15 000		18%	17%	18%	18%
15 - 20 000		11%	9%	12%	11%
Over $20 000		19%	16%	22%	18%
Below $5000	1982	29%	31%	28%	30%
5 - 10 000		21%	24%	19%	21%
10 - 15 000		17%	17%	17%	17%
15 - 20 000		12%	10%	13%	12%
Below $20 000		22%	18%	26%	21%

Table II extends the income comparison within New Brunswick to those of Canada as a whole.

TABLE II

INCOME DISTRIBUTION CHARTS
Canada and New Brunswick
Taxable Income: 1974-1982

INCOME LEVELS	YEAR	CANADA	NEW BRUNSWICK
Below $5 000	1974	39%	46%
5 - 10 000		31%	34%
10 - 15 000		19%	15%
15 - 20 000		7%	4%
Over $20 000		5%	2%
Below $5 000	1975	34%	38%
5 - 10 000		30%	33%
10 - 15 000		20%	18%
15 - 20 000		9%	6%
Over $20 000		7%	4%
Below $5 000	1976	32%	35%
5 - 10 000		28%	32%
10 - 15 000		20%	20%
15 - 20 000		12%	9%
Over $20 000		10%	5%
Below $5 000	1977	28%	32%
5 - 10 000		27%	31%
10 - 15 000		20%	20%
15 - 20 000		13%	11%
Over $20 000		13%	7%
Below $5 000	1978	33%	38%
5 - 10 000		23%	26%
10 - 15 000		18%	18%
15 - 20 000		13%	10%
Over $20 000		14%	8%
Below $5 000	1979	30%	36%
5 - 10 000		22%	25%
10 - 15 000		18%	18%
15 - 20 000		13%	11%
Over $20 000		17%	11%
Below $5 000	1980	28%	34%
5 - 10 000		20%	23%
10 - 15 000		17%	18%
15 - 20 000		13%	11%
Over $20 000		21%	13%
Below $5 000	1981	25%	31%
5 - 10 000		19%	21%
10 - 15 000		17%	18%
15 - 20 000		13%	11%
Over $20 000		28%	19%
Below $5 000	1982	22%	29%
5 - 10 000		18%	21%
10 - 15 000		16%	17%
15 - 20 000		13%	12%
Over $20 000		32%	22%

Based on the material presented in Table II one could make the following observations:

1) New Brunswick, as a whole, is significantly poorer than Canada as a whole.

2) While the overall distribution of incomes have shifted upward in each of these groupings, the same basic pattern has remained in place in this province .... New Brunswick has remained poorer than Canada as a whole.

   Numerous programs, approaches and developments have been tried as possible solutions to the economic disparity which exists. These programs have probably prevented further increases in the disparity but have not actually reduced the overall level of disparity.

Along with material on incomes in New Brunswick, one can also see the New Brunswick difference when reviewing existing material on education.

Table III demonstrates the differences between New Brunwick and Canada.

Based on the material presented in this table one can make the following observations:

1. New Brunswick continues to have a lower level of education for the general population than Canada as a whole.

2. While the overall proportion of people who have some level of university training has remained fairly constant, one can see a noticeable change in the proportion of people who have completed some level of non-university type of training such as vocational or community college education among other alternatives.

Table IV reviews information on the completed level of education of New Brunswickers in different areas of the province. Based on material summarized in this table, one could make the following observations:

1) There has been a significant change in the completed level of education in all areas of the province between 1976 and 1981 and this change is most noticeable in the change between elementary or high school and other, non-university levels.

2) While the overall rate of change has occurred throughout the province, the predominately French-speaking areas continued to have a lower education level in the data for 1981.

TABLE III
EDUCATION STATISTICS
1971-1981

General Population Statistics: Highest Level of Education Completed

EDUCATION LEVEL	CANADA	NEW BRUNSWICK
1971		
Elementary/secondary only	79%	82%
Other non-university	13%	11%
University non degree	5%	4%
University degree(s)	4%	3%
1976		
Elementary/secondary only	70%	75%
Other non-university	18%	16%
University non-degree	6%	5%
University degree(s)	6%	5%
1981		
Elementary/secondary only	61%	68%
Other non-university	23%	19%
University non-degree	8%	7%
University degree(s)	8%	6%

TABLE IV
NEW BRUNSWICK EDUCATION STATISTICS
1976-1981

EDUCATION LEVEL	YEAR	NEW BRUNSWICK	FRENCH COUNTIES	ENGLISH COUNTIES	BILINGUAL COUNTIES
	1976				
Elementary/secondary only		75%	81%	71%	75%
Other non-university		16%	12%	18%	15%
University non-degree		5%	4%	6%	5%
University degree(s)		5%	4%	6%	4%
	1981				
Elementary/secondary only		68%	74%	64%	68%
Other non-university		19%	16%	21%	19%
University non-degree		7%	6%	8%	7%
University degree(s)		6%	5%	7%	6%

PART THREE

THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE

In accord with its mandate the Committee wishes to offer to government a number of recommendations which it believes will effect equality in the institutions between citizens and their government which is the cornerstone of the major linguistic legislation presently in force. These recommendations were compiled within the framework of the present law and with regard to the opinions expressed by the people during the hearing phase of the process.

These expressions of opinion, as is made clear in Part One, were quite diverse and made arriving at a consensus difficult on occasion. Where there was broad agreement the Committee was able to render detailed proposals more easily. Conversely where there was exhibited a wide range of opinions which defied reconciliation, the Committee, after an exhaustive examination of the possibilities, was required to make a judgment. In such situations the Committee developed recommendations which in their opinion, would best maintain the relations between the two official linguistic communities and would foster the implementation of the principles of equality contained within such linguistic legislation as the Official Languages of New Brunswick Act, Bill 88 which recognizes the equality of the two official linguistic communities and the Constitution Act (1982).

To reach agreement the members of the Committee from each of the of two linguistic communities had to listen carefully to the views of the other and had to explore areas of consensus. The continuing exchange of opinions provided by the hearings phase engendered a strong desire to bring forward a series of recommendations which would encourage the development of a province containing two official languages and cultures. The shared vision of a province in which harmony between the two groups would be based on equality and mutual respect convinced the Committee to eschew the simple premise that the majority must prevail.

Rather than delve into the details of implementation of linguistic policy the Committee has chosen for the most part to put forward broad principles and general policies of implementation. Matters of details lie properly within the purview of the experts in government. For example, participants in the process clearly stated their absolute demand for improvement in second language education but their individual proposals for change varied considerably. The Committee therefore did not choose between late or early immersion programmes, leaving that for the educators. It was important, however, to recommend that a course of action be undertaken which would ensure the graduation of men and women competent to function in their second language.

The Committee's recommendations are divided as follows:

1. Basic principles and objectives of a language policy, and
2. Principal fields for implementation of these principles and objectives.

I. Basic Principles and Objectives of a Language Policy

It is vital to identify the fundamental principles and objectives which will set the direction of linguistic policy and to set out the principal procedure for its implementation. In approaching this task the Committee, as was required by the mandate, took full account of the pertinent federal and provincial laws in effect in New Brunswick which were passed according to the democratic traditions of our parliamentary system. The three major pieces of legislation were adopted by the Parliament of Canada and by the Legislative Assembly following the manner of our received parliamentary traditions. In the early '60's the Commission on Bilingualism and Biculturalism consulted widely and its work resulted in the federal Official Languages Act of 1968. At the end of the '70's the Commission on Canadian Unity also consulted widely and this process took place only a short time before the debate on the repatriation of the Constitution. At the same time other organizations such as the Canadian Bar Association were conducting national hearings (whose particular report was published in 1978). The complaints of a number of participants as to the absence of consultation on this matter must be seen against that historical background.

In the introduction to this Report the three principal pieces of linguistic legislation are identified. However it must be borne in mind that important provisions of the Official Languages of New Brunswick Act of 1969 (i.e. ss. 4, 8, 9, 10 and 12) were not brought into effect until 1977. Also it should not be overlooked that Bill 88, the law recognizing the equality of the two linguistic communities in New Brunswick, adopts the concept of collective rights which is to be contrasted with the ideas of individual rights embodied in the federal Constitution Act (1982).

Finally, the government of New Brunswick asked, during the preparation of the federal Constitution, that specific provisions be included which would guarantee the equality of two languages in New Brunswick in status, rights and privileges. Thus it is now

time to identify the means by which these linguistic legal rights can be implemented.

Accordingly the Committee has adopted four general principles and objectives which it believes ought to form the basis for any revised legislation or new regulations to implement linguistic rights. Thus the Committee proposes (a) the right of the citizen to receive equal services in the language of his or her choice; (b) the opportunity for the civil servant to work in his or her language; (c) equitable representation of the two linguistic communities in the institutions of government; and (d) recognition of linguistic regions.

This will require either changes to the existing law or the adoption of a new piece of legislation along with a clear language policy with mechanisms of implementation. In addition, second language training must be accorded special attention in a province, like ours, which recognizes two official languages.

A. Service of Equal Quality

This fundamental principle and objective underpins the other principles and objectives. It is already recognized in the Official Languages of New Brunswick Act (1969) and is entrenched in the Constitution Act (1982) without qualification.

The fundamental right of every citizen of New Brunswick is to communicate with and to receive services from any office of an institution of government in English or French which right is guaranteed by the law of the Constitution. The Government of New Brunswick must respect the linguistic diversity of the province as a consequence of the statutory and constitutional obligations it has assumed. These guarantees mean that no citizen should be made to sacrifice his or her language rights when dealing with government nor should he or she be asked to accept services of inferior quality.

While the institutions of Government must be bilingual there is no corresponding obligation on the part of the individual citizen to speak both official languages so that bilingualism on an individual basis can be encouraged but remains a personal choice beyond the scope of legislation.

This recognition of individual rights throughout the province as guaranteed by the Constitution Act (1982) guided the Committee to recommend full application of the right to equal services from government.

RECOMMENDATION 1

It is recommended that the institutions of the Legislature and of the Government of New Brunswick implement the right of every citizen of New Brunswick to receive equal services in the language of his or her choice from the institutions of the Legislature and Government.

In order to effect this principle and objective the Committee proposes the adoption of the following means and a staged implementation:

1. Means of Implementation

A) All services should be made available through an effective offer in both official languages and available at all levels of government;[1]

i) **Local Level:** the government must devise a pragmatic scheme, utilizing the possibilities of modern telecommunications, to ensure accessibility to services as is required by law.

ii) **Regional Offices:** there must always be bilingual capacity to ensure services and the location of such services in each language must always be clearly identified.

iii) **Central Office:** there must be full language capacity in place to serve both linguistic communities.

B) The official language used in the citizen's request for service shall determine the language in which the service is rendered.

C) The techniques employed to deal with requests or inquiries received by means of personal visits, telephone calls or by correspondence shall provide for prompt and efficient acknowledgement and follow-up through proper processing as developed by individual departments.

D) Techniques and procedures utilized by individual departments may vary according to departmental exposure to public demand, and particularly where most inquiries originate from within the institutions of government rather than from the general public.

E) Information about new services, notices in changes to existing services and any supplementary information relating thereto (as initiated by the Central Office although not exclusively so) shall be drafted in both official languages and distributed to citizens according to their first language or their chosen language by use of appropriate technology to guarantee selective distribution.

F) A system, as defined later in this report[2], should be put in place to ensure compliance by all civil servants with the linguistic rights of citizens and to assign responsibility for performance of the duty to deliver service of equal quality to both groups as is prescribed by law and by the principles and recommendations adopted in this Report.

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1. "Effective offer" implies that the service is clearly identified and available orally and in writing in the chosen language of the citizen.

2. Recommendation 22.

2. Timetable for Implementation

The institutions of the Legislature and Government of New Brunswick shall:

A) Within three months from a date to be determined by government, report on their present ability to meet the citizen's rights to be served in their first or chosen language, as required by the Official Languages Act since 1977 and the Constitution Act since 1982, and to make known to government the general and specific problems which impede their capacity to do so.

B) Where the obstacles described above are within the capacity of the individual institutions to remove, steps should be taken immediately to meet their responsibilities embodied in these principles, objectives and recommendations: where these obstacles are not within the capacity of the institution to resolve then the appropriate body, for example the Board of Management, should immediately take necessary steps to permit the particular institution to meet its legal responsibilities.

C) Each department shall report annually to the Linguistic Rights Commission and by this means to the Legislature as to whatever steps have been taken and what progress has been made in their jurisdiction; each department through its branches shall strive to develop and implement new and increasingly more efficient measures to guarantee the recognition of the linguistic rights of the staff of both communities.

B. Language of Work

The legal equality of the two official languages, the statutory requirement of delivery of government services equally in the two official languages and the fact of English and French civil servants suggest that English and French be the languages of work in the institutions of the Legislature and Government of New Brunswick. It follows that all persons possessing the necessary professional or trade skills having access to a career in the civil service should be able to work in the language of their competence.

RECOMMENDATION 2

It is recommended that the government of New Brunswick adopt the principle and objective that each civil servant enjoy the opportunity to work in his or her language of competence in the institutions of the Legislature and Government of New Brunswick.

The civil servant must be able to work in his language, both oral and written, in the carrying out of his duties and in internal communications in government so as to ensure efficiency. However, since the right of the citizen to have services in his language is paramount then government must have the authority to place linguistic requirements with regard to certain positions in the civil service. That is language of service takes precedence over language of work.

More precisely, language of work is defined as the oral and written language used by civil servants in their offices to prepare documents, confer with their colleagues, their superiors and their juniors. It is the language used in acquiring their competence and carrying out their duties. It is the language in which they are evaluated.

The implementation of this principle and objective presumes that there are civil servants trained in their first language and who can use that language. The civil service must be capable of serving the two linguistic communities and of meeting the constitutional requirement of providing services of equal quality in both languages. Because the distribution of civil servants in the regions, with their different linguistic makeup, efficiency requires that those working in the regions be able to communicate, orally and in writing, with their counterparts in the Central Office.

It is important to recognize that the work of a civil servant cannot comprise both the performing of his professional duties and the translation of his work into a second language.

In addition, it cannot be overlooked that one of the two linguistic communities in New Brunswick is more bilingual then the other at this time.

1. Means of Implementation

Several means can be envisaged for implementing the principle and objective of language of work. For example, this could be done by total duality or by parallel structures already rejected by government with the exception of the Department of Education where duality is in place other then at the level of common services. In the alternative it might be envisaged that the civil service could become wholly bilingual. In the eyes of the Committee, this might be desirable but it is not a realistic choice in view of the present bilingual capacities of the civil service and the general population. Accordingly the Committee has opted for linguistic work units which should in no way diminish the efficiency of the civil service and which would ensure equality of services to the two linguistic communities.

RECOMMENDATION 3

It is recommended that work units be developed by a reorganization of civil servants on a linguistic basis. The numbers and dimensions of these units would vary according to the function and nature of the departments and agencies of Government and the Legislature and take into consideration the coordinate principles and objectives of equality of services, equitable representation and regional identity. It is implicit herein that unjustified duplication will be avoided and any increase in costs will be minimal.

In addition, departments should retain the flexibility to develop through other means, such as experimental devices and pilot projects, to achieve the goal of language of work. The effectiveness of all procedures shall be monitored by the Linguistic Right Commission. (See recommendation 22 (6).)

To ensure the right of the public servant to work in these units in his or her own language and in dealings with his superiors:

RECOMMENDATION 4

It is recommended that the teams at senior management level, that is including the Deputy Ministers, Assistant Deputy Ministers and Executive Directors, have bilingual capacity for the purposes of evaluation of civil servants, internal and external communication and service to the public. In order to accomplish the goal of this recommendation it will be necessary to designate as bilingual certain positions, with the evaluation of the level of bilingualism being done through tests administered by the Civil Service Commission.

Such testing should utilize the scale used by the Department of Education. Accordingly, while a capacity of three, on the scale of one to five, might be deemed desirable for middle management, a capacity of greater than three would be required of civil servants progressing through the system to the senior management team of a particular department or agency. As noted below (See recommendation 5), transitional measures will be required to protect the rights of presently unilingual civil servants.

On the one hand the English members of the Committee believe that bilingual capacity, involving representatives from both the English and French communities, within the senior management team as required by recommendation 4 provides for the input of both language groups in developing policies. This will meet both the needs of all citizens and the need to recruit deputy ministers from as large a pool of professional and administrative expertise as possible. These considerations are of such significance that Government cannot require that all deputy ministers be bilingual.

On the other hand, the French members believe that the deputy ministers working in a small province should be expected to be able to serve fully citizens and civil servants of both groups and so contend that they should be able to communicate directly with citizens and civil servants in their language.

RECOMMENDATION 5

It is recommended that:

1) *All presently unilingual civil servants be encouraged to take courses in the second language. These courses should continue to be available for a ten year period, following the adoption of this report. To permit catch-up thereafter it is anticipated that the educational system should satisfy the needs of the civil service. (See Interoffice Memo, Board of Management - 85/026 - Appendix 6), or*

2) *Where such civil servants, whether by choice or by inaptitude, do not gain such competence they should be protected from indiscriminate displacement as a result of these new language policies in the pursuit of their career including promotion. However promotion may also be possible by lateral transfer[1] to positions free from linguistic requirements.*

Provision should also be made for the exceptional case in which high levels of expertise are required but no qualified bilingual personnel are available.

RECOMMENDATION 6

It is recommended that where the demand for services justifies only one position the civil servant appointed should have bilingual capacity to ensure service to both groups. The job description of such a civil servant would take account of the additional capacity albeit no system of additional payments, based on the federal experience, is recommended here. Rather such enhanced functional requirements should be reflected in the job classification within the system.

Since the Committee does not suggest that every citizen speak both languages, it is important to protect the rights of each citizen to participate in the public life of the province.

RECOMMENDATION 7

It is recommended that commissions, committees and other bodies created by the Legislature and Government of New Brunswick reflect the following criteria:

1) *if it is of a province-wide nature then its makeup should reflect the province as a whole;*

2) *if it is of a regional nature or if related to a matter pertinent to a particular linguistic group, then it should reflect the makeup of the region or group;*

3) *if serving both linguistic groups these should have the authority to operate where necessary in panels or divisions by linguistic capacity so as to serve the needs of the two communities;*

4) *these bodies should have the services of interpretation and translation where they have unilingual members;*

5) *the staff of these bodies should reflect the linguistic makeup of the particular committee and the public to be served and should publish all communications in both official languages, and*

6) *respect the linguistic rights of the citizens.*

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1. See Glossary.

2. Timetable for Implementation

It is assumed that civil servants are working in their first language at present in unilingual areas, with the exception of communications in the language of choice between those civil servants in the regions and their counterparts in the Central Office. At the Central Office, the possibility of working in one or other language is presently restricted to certain departments.

RECOMMENDATION 8

It is recommended that a policy be developed so that institutions of the Legislature and Government of New Brunswick are able to provide this capacity and to improve upon their abilities to implement this principle and objective of language of work over a maximum period of ten years from the adoption of this Report.

C. Equitable Representation

Bill 88, the act recognizing the equality of the two official linguistic communities, acknowledges the existence of two language groups distinguished by both language and culture. By implication it recognizes that both of the groups have important and original contributions to make to the development of every aspect of the province. Accordingly government policies and public programmes must take account of the needs, the potential and the goals of the two official communities. This is particularly true since the point of view of a minority or smaller group can be overlooked where it is not present in the decision-making process in the operations of a democracy. It is essential that the two language groups be equitably represented in all levels of the civil service and in the institutions of the Legislature and Government of New Brunswick in a manner which approximates the linguistic makeup of the province and without recourse to a quota system. While the present language laws in effect are silent on the issue of equitable representation, the Committee believes that it is a most important principle and objective and is implicit in Bill 88.

RECOMMENDATION 9

It is recommended that the two language groups enjoy equitable representation at all levels and in all institutions of the Legislature and Government of New Brunswick so as to reflect the linguistic makeup of the province and the regions.

1. Means of Implementation

It is recommended, to achieve these objectives, that the following measures be considered:

RECOMMENDATION 10

It is recommended that in the implementation of the principle and objective of equitable representation the government take full advantage of the opportunities provided by such factors as internal transfer, attrition and early retirement.

While it is normal procedure for the Government to hire the candidate with the highest professional qualifications.

RECOMMENDATION 11

It is recommended that:

1) *When candidates are of equivalent professional competence, preference be given to the candidate from the under-represented language group both in the hiring and replacement of civil servants and support staff working for committees, commissions, agencies and councils of government.*

2) *Preference be accorded to competent candidates from the under-represented language group for appointment to commissions, ad hoc and permanent committees, agencies and boards of control set up by government.*

3) *The choosing of personnel for professional training programmes, pursued with regard to new or higher responsibilities, complement the policies aimed at promoting the goal of equitable representation.*

2. Timetable for Implementation

RECOMMENDATION 12

It is recommended that the goal of equitable representation should be achieved over a maximum period of ten years from the adoption of this report, with measurable progress being made in each of these years following a clearly enunciated, and widely distributed government policy on language.

D. Regional Identity

Bill 88 recognizes the equality of the two official linguistic groups in its sections 1, 2 and 3. According to that law the government promised to maximize the opportunities for both communities to develop their cultural heritage and to preserve it for posterity. (see the preamble to Bill 88)

It is observable that the development and advancement of the cultures and languages of the two groups derive in large part from their respective attachments to identifiable territory. There can be little doubt that the citizens of New Brunswick are especially sensitive to their local and regional identity.

It is possible to look at the province in terms of three types of linguistic configurations:

1. Regions predominantly English (80% or more).
2. Regions predominantly French (80% or more).
3. Bilingual regions in which the two groups are more or less equal overall but within which there are sub-regions in which one or other of the groups approaches eighty per cent of the local population.

RECOMMENDATION 13

It is recommended that government adopt as an objective the recognition of territories comprising homogeneous and heterogeneous communities in the province and recognizing that the administrative apparatus of government should reflect the linguistic makeup of the regions of the province.

1. Means of Implementation

It is desirable to encourage the greater involvement of the different community leaders of each region in the economic and social planning and policy-making directly related to their regions.

RECOMMENDATION 14

It is recommended that government establish administrative regions on the basis of language with appropriately revised administrative maps common to all departments of governments as far as is practicable.

The provincial administrative structure in the regions should recognize the reality of the three kinds of linguistic regions described above and this reality should be reflected in the delivery of services in each of these linguistic regions determined on a language basis.[1]

A) English Regions

1.	Charlotte	97%
2.	Saint John	94%
3.	York-Sunbury	93%
4.	Carleton	98%

B) French Regions

1.	Acadian Peninsula/Lower Gloucester	97%
2.	Kent	84%
3.	Madawaska	91%

C) Bilingual Regions

1.	Restigouche	54%(F)	46%(E)
2.	Chaleur/Upper Gloucester	67%(F)	33%(E)
3.	Miramichi	29%(F)	71%(E)
4.	Shepody/Albert-Westmorland	33%(F)	67%(E)

In other words, the language of service, the language of work of civil servants, the linguistic profile of the civil service in the regions in which one of the two groups predominates (greater than 80%) should reflect primarily the linguistic character of those regions. However the minority group in such regions should be provided with the provincial government linguistic services as is required by the "New Brunswick" provisions of the federal Constitution, by:

i) bilingual civil servants in their region; and/or

ii) civil servants competent in the citizen's language in adjacent areas; and/or

iii) civil servants from the Central Office directly.

In the bilingual regions there are two possibilities:

i) the regional administration should have bilingual capacity thus providing delivery of all regional services in both of the official languages, and/or

ii) the adoption of two superimposed administrative maps whereby each of the two communities would be served by an office identified on a linguistic basis,

The Committee believes that the concept of new administrative regions based on language is important for both linguistic communities by ensuring services of equal quality, as it consolidates their respective senses of belonging and their individualities which are essential characteristics of a democratic society. In addition acceptance of this concept will ensure services of quality in the regions in which one group predominates and will enhance the integration of the minority groups in the regional civil service. All departments need not be represented in each region. The needs for a particular service should determine their representation.

RECOMMENDATION 15

It is recommended that the regional and central administrations give priority in public information, documents and forms, roadsigns and placenames to the language of the majority and with regard at all times to the historic origins of these regions.

RECOMMENDATION 16

It is recommended that the government establish a Commission on Place-Names. The creation of such a body would ensure that geographic names better reflect the linguistic nature of the regions and their historical roots.

RECOMMENDATION 17

It is recommended that the necessary monitoring functions with regard to the policies concerning regional identity be carried out by the Commission on Linguistic Rights, as described in recommendation 22 below.

2. Timetable of Implementation

RECOMMENDATION 18

It is recommended that appropriate time tables be adopted as follows:

1. The following table is derived from a document by the Office of Government Reform, dated February 1985

1) ***Administrative regions:*** *the timetable for their creation should be determined by the appropriate office of government;*

2) ***Commission on Place-Names:*** *this should be set up immediately;*

3) ***Signage policy:*** *roadsigns should follow the policies outlined whenever replacements are to be made and incorporate wherever possible internationally recognized pictograms.*

E. Official Languages Legislation

It must be recognized that both Canada and New Brunswick have enacted in their laws guarantees of equality for all citizens and the equality of status of the two official languages. The Official Languages of New Brunswick Act (1969) did not contain implementation nor monitoring mechanisms which provoked differing interpretations and unequal application. Also Bill 88, the Act recognizing the two official linguistic communities, did not establish mechanisms for implementation.

RECOMMENDATION 19

It is recommended that the Government of New Brunswick adopt a new or revised official languages law which is directive rather than declaratory and which incorporates:

1) *specific provisions on language of service, equitable representation, language of work and regional identity as recommended in this Report;*

2) *a schedule which lists those institutions which are subject to the requirements of the law;*

3) *the mechanisms for implementation identified in this Report;*

4) *means of redress for every citizen or group of citizens who desire redress of rights which they perceive to be an infringement of the law by any institution or agency of government;*

5) *that all provincial laws which are inconsistent with the new or revised act be declared to be of no force or effect to the extent of their inconsistency. This last provision recognizes the need to resolve in advance the complexities inherent in any collective agreements affecting civil servants.*

This recommendation envisages that all departments will act to bring the laws and regulations affecting their operations into harmony with the new or revised law, following the experience with the Constitution Act (1982).

RECOMMENDATION 20

It is recommended that the government act to clarify the legal status of bodies such as municipalities and hospitals in relation to such new or revised linguistic law.

F. Language Policy and Means of Implementation

The Committee believes that the effecting of language rights recognized in any language law requires the establishing of mechanisms for monitoring and enforcement. In addition the Committee supports as an operating principle that government adopt and publicize an overall policy on language which encompasses the principles and objectives recommended in the Report and promotes knowledge of the rights in the legislation.

Both Canada and New Brunswick have enacted linguistic rights legislation and have placed in the Constitution guarantees of personal and linguistic equality. However experience demonstrates the need for effective mechanisms of implementation as their absence can lead to suspicion, fear and distrust thereby inhibiting New Brunswick from reaching its full human potential, the Committee recommends:

RECOMMENDATION 21

It is recommended that the government adopt an effective linguistic policy which will incorporate the principles and objectives of this Report along with the mechanisms for implementation and promote the knowledge of the rights granted by law.

1. Means of Implementation

The Committee proposes certain specific means to implement the policy:

A) an overall linguistic plan, incorporating precise guidelines and timetables, should be developed and adopted for implementation with regard to all institutions of the Legislature and Government of New Brunswick;

B) the development of an information campaign to inform citizens of the linguistic policies affecting their employment, education or way of life; and to inform them of the developments in linguistic policy.

To achieve this the following means are suggested:

1. Information sessions on major concerns affecting large numbers of citizens;

2. Meetings of groups specifically affected by the policies;

3. Distribution on a wide scale of information by using employees' organizations, cultural and language associations, the educational system and the media at large;

4. The use of radio and television to disseminate information by means of interviews, advertising and the like;

5. The encouragement of service clubs and other volunteer organizations in the arranging of cultural exchanges within the province;

6. The twinning of communities on an interlinguistic basis.

2. Mechanisms for Implementation

The implementation of linguistic policy will be the responsibility of a number of bodies but it is vital that authority lie with the Legislative Assembly. Accordingly the Committee has described a range of mechanisms subject to the direction of the Cabinet and reporting to the Legislature.

RECOMMENDATION 22

It is recommended that the following bodies be given responsibilities for the formulation and implementation of linguistic policy and fulfilling the functions assigned to them:

1. **Cabinet**

   To establish linguistic policy for the province, based on this Report, and to formulate a plan and a timetable for its implementation;

   To bring forward a new or revised language law to the Legislative Assembly;

   To devise regulations for the implementation of the language law.

2. **The Ministers**

   Each is responsible for the implementation of the linguistic policy within his or her Department.

3. **The Deputy Ministers**

   Each is responsible for setting up specific mechanisms for implementation of the policy within his or her Department.

   Each is responsible for establishing criteria for hiring of personnel.

4. **Board of Management**

   One of the responsibilities of the Board is the recruitment of personnel.

5. **Civil Service Commission**

   Some of the responsibilities of this body include:

   a. Ensuring respect for the merit principle in hiring for the civil service;

   b. Preparing and carrying out linguistic competence examinations;

   c. Classifying the civil servants according to the provincial linguistic five point scale[1] of second language competence.

6. **Linguistic Rights Commission**

This independent body would be composed of 8 members, four from each official linguistic community, representative of the regions and their communities. They would be named by the Cabinet who would also designate both the chairman and vice-chairman, deriving from both linguistic communities, which posts would alternate. The members would have a term of office of four years, renewable. However the first four members named, two French and two English, would be granted terms of two years only, with the other four, two English and two French, having a four year term so as to ensure continuity. A bilingual executive director would be charged with overseeing the administrative functions of the Commission including the personnel who would be drawn equally from the two communities.

The Commission would be responsible for:

a. Coordinating and monitoring the plan of action for implementing the linguistic policy;

b. Acting in a liaison capacity between departments on linguistic matters;

c. Arranging for the preparation and publication of the linguistic profile of the civil service;

d. Informing the public as to the nature of the linguistic policy and soliciting their responses;

e. Acting as an advisory body on language matters and conducting pertinent research for departments and government agencies.

f. Assuming the duties and responsibilities of the Official Languages Branch which have not been assigned to other bodies in the recommendation of this Report.

The Commission would report to the Legislative Assembly through the Standing Committee as stated below in 8.

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1. See Glossary.

7. **Adjudicatory body**

This body is described in recommendation 23 and the preamble thereto.

8. **Standing Committee of Legislature**

This Committee, to be constituted of equal numbers from each linguistic group and according to the practice of the Assembly, wil

a. serve as a permanent link between the Legislature and the bodies charged with implementing and enforcing linguistic policy;

b. inform the Legislature on all linguistic matters;

c. propose regulations for better implementation of the policy and modifications to the linguistic legislation

The Committee believes that any scheme for the redress of linguistic rights must incorporate four characteristics: (a) affordability, (b) speed of disposition, (c) effectiveness and (d) an educational component. It will be necessary to amend the legislation governing the Human Rights Commission so as to include linguistic matters.

(a) Affordability

In order to ensure that the linguistic rights of all citizens are equally protected the costs of redress of infringements must be minimized. Since the language legislation governs relations between the citizens and their government, it is appropriate that government empower a body to investigate, mediate and adjudicate complaints at minimal cost to the citizen. Where there are costs then such should be covered by government following either the manner of the Legal Aid Fund or that established federally for constitutional matters.

(b) Speed of Disposition

As the periods of time for access to the court system and for judicial resolution of disputes are measured in years it is preferable to use a structure which can process complaints within a shorter time. A structure such as the Human Rights Commission can be adapted to cope with infringements of language rights.

(c) Effectiveness

The redress of a citizen's rights cannot be said to be fully achieved by simple declaration of infringement, thus it is necessary that any body investigating, mediating and seeking to resolve complaints be able to enforce its determinations in the manner of judgments of the courts.

(d) Educational

Because respect for rights is developed over the long term through education of the community it is essential that the work of the body be widely known. Accordingly the nature of the investigations, mediations and adjudications of the tribunal should be regularly publicized.

RECOMMENDATION 23

It is recommended that:

1) the Government of New Brunswick empower a body such as the Human Rights Commission to investigate, mediate and resolve citizens' complaints of infringements of their linguistic rights;

2) the costs of proceedings be borne by public funds;

3) the body be empowered to enforce its adjudications (see also recommendation 19) (4);

4) the body publish an annual report of its activities and adjudications.

G. Second Language Programmes

The Committee recognizes as a principle that while a bilingual province should not demand that all of its citizens speak both official languages nevertheless the government has a fundamental responsibility to develop and to make available the opportunity for all citizens to attain their linguistic goals through an appropriate education system.

RECOMMENDATION 24

It is recommended that the Government adopt the principle and objective that every child has the legal right to an adequate education in the second language by means of the educational system.

RECOMMENDATION 25

It is recommended that the Government undertake to provide, as far as is practicable, the opportunity for all citizens to acquire a capacity in their second language.

Specific recommendations related to this principle and objective are made in later sections of this part of the Report in regard to training, education, higher education and the civil service.

II. The Fields of Application of Linguistic Policy

The principles and objectives of the linguistic policy defined above are to be applied principally to the civil service and in differing degrees, to municipal governments, the health-care system, professional associations, public utilities, crown corporations and government agencies, the private sector and the federated organizations.

A. The Civil Service

This body was examined by the Committee, as was required by the mandate, and it attracted the attention of the presenters at the public hearings to a very considerable extent. The English language briefs were concerned with competence and merit as the basis for hiring and promotion. The majority of English-speaking presenters supported the principle and objective of equality of service in both languages but they did not favour either language of work for French speakers or equitable representation and were opposed in particular to any rigid quota system within the civil service. The French-speaking participants complained of the failure of the public service to provide equality of services in French as is required by law. They complained mostly of the services from the Central Office, the services in the regions being more satisfactory. The French-language briefs emphasized that the French-speaking civil servant, in most cases, cannot work in his or her language especially at the Central Office and that there the French speakers are under-represented in the majority of departments of importance in the province.

TABLE 1

NEW BRUNSWICK

ALL DEPARTMENTS AND AGENCIES
By Linguistic Community and Work Place

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	6 260	68,5[1]	5 304	72,5
French-speaking	2 875	31,5	2 012	27,5
TOTAL	9 135	100,0	7 316	100,0
			(Uniden. 1 123)	
		Central Office		
English-speaking	2 788	82,6	2 457	86,8
French-speaking	0 586	17,4	0 373	13,2
TOTAL	3 374	100,0	2 830	100,0
		Regional Office		
English-speaking	3 472	60,3	2 847	63,5
French-speaking	2 289	39,7	1 639	36,5
TOTAL	5 761	100,0	4 486	100,0

1. The rounding-off of numbers occasionally causes totals less than 100%. The degree of variance is + or - 0.1% in these cases.

TABLE 2

ALL DEPARTMENTS AND AGENCIES
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%[1]	%[2]	N.	%	%
Provincial Total						
English-speaking						
Unil.	5 644	61,8	90,2	4 772	65,2	90,0
Bil (a)	186	02,0	03,0	205	02,8	03,9
Bil (b)	430	04,7	06,9	327	04,5	06,2
Sub-Total	6 260	68,5	100,0	5 304	72,5	100,0
French-speaking						
Unil.	55	00,6	01,9	47	00,6	02,3
Bil (a)	2 287	25,0	79,5	1 763	24,1	87,6
Bil (b)	533	5,9	18,5	202	2,8	10,0
Sub-Total	2 875	31,5	100,0	2 012	27,5	100,0
TOTAL	9 135	100,0		7 316	100,0	
Central Office						
English-speaking						
Unil.	2 448	72,5	87,8	2 205	77,9	89,7
Bil (a)	85	02,5	03,0	79	02,8	03,2
Bil (b)	255	07,5	09,1	173	6,1	07,0
Sub-Total	2 788	82,5	100,0	2 457	86,8	100,0
French-speaking						
Unil.	0	00,0	00,0	4	00,1	01,1
Bil (a)	540	16,1	92,2	336	11,9	90,1
Bil (b)	46	01,4	07,8	33	01,2	08,8
Sub-Total	586	17,5	100,0	373	13,2	100,0
TOTAL	3 374	100,0		2 830	100,0	
Regional Offices						
English-speaking						
Unil.	3 196	55,5	92,1	2 567	57,2	90,2
Bil (a)	101	01,8	02,9	126	02,8	04,4
Bil (b)	175	03,0	05,0	154	03,5	05,4
Sub-total	3 472	60,3	100,0	2 847	63,5	100,0
French-speaking						
Unil.	55	01,	02,4	43	00,9	02,6
Bil (a)	1 747	30,3	76,3	1 427	31,8	87,1
Bil (b)	487	08,4	21,3	169	03,8	10,3
Sub-Total	2 289	39,7	100,0	1 639	36,5	100,0
TOTAL	5 761	100,0		4 486	100,0	

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* = Percentile (.01) Adjustmemt.

1. These percentages are based on the aggregate of civil servants.
2. These percentages are based respectively on either the aggregate of English-speaking or French-speaking civil servants.

TABLE 3

ALL DEPARTMENTS AND AGENCIES
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982[1] English N	March 1982[1] English %	March 1982[1] French N	March 1982[1] French %
Provincial Total								
Senior Exec.	122	78,2	34	21,8	115	80,4	28	19,6
Scient. & Prof.	1356	61,3	856	38,7	1245	61,7	774	38,3
Adm. Services	577	71,9	226	28,1	650	73,2	238	26,8
Technical	680	73,5	245	26,5	653	75,6	211	24,4
Adm. Support	1634	68,7	745	31,3	1532	71,9	600	28,1
Operational	1637	72,1	634	27,9	1585	71,8	624	28,2
Others	254	65,3	135	34,7	106	67,5	51	32,5
TOTAL	6260	68,5	2875	31,5	5886	70,0	2526	30,0
		(9135)				(8412)		
Central Office								
Senior Exec.	104	79,4	27	20,6	100	83,3	20	16,7
Scient. & Prof	560	81,9	124	18,1	582	82,0	128	18,0
Adm. Services	450	78,3	125	21,7	505	78,0	143	22,0
Technical	269	90,0	30	10,0	287	89,4	34	10,6
Adm. Support	1011	83,3	202	16,7	1013	84,6	184	15,4
Operational	238	92,2	20	7,8	219	92,8	17	7,2
Others	156	72,9	58	27,1	101	69,7	44	30,3
TOTAL	2788	82,6	586	17,4	2807	83,1	570	16,9
		(3374)				(3377)		
Regional Offices								
Senior Exec.	18	72,0	7	28,0	15	65,2	8	34,8
Scient. & Prof.	796	52,1	732	47,9	663	50,6	646	49,4
Adm. Services	127	55,7	101	44,3	145	60,4	95	39,6
Technical	411	65,7	215	34,3	366	67,4	177	32,6
Adm. Support	623	53,4	543	46,6	519	55,5	416	44,5
Operational	1399	69,5	614	30,5	1366	69,2	607	30,8
Others	98	56,0	77	44,0	5	41,7	7	58,3
TOTAL	3472	60,3	2289	39,7	3079	61,2	1956	38,8
		(5761)				(5035)		

1. Statistics for the professional categories are not available before 1982.

The Committee believes that the civil service is a vital extension of government and the most visible and immediate agent of government for most citizens.

The makeup of the civil service overall shows that equitable representation is close to being reached since the English-speaking proportion is 68.5% and the French-speaking, 31.5%. The tables reveal a growth of 4% in the numbers of French-speaking civil servants since 1978.

At the Central Office, equitable representation has not been achieved since the proportions are 82.6% English-speaking and 17.4% French-speaking: these have changed from 86.8% and 13.2% respectively in 1978.

In the regions, equitable representation has not been reached since the percentages are: 60.3% English-speaking and 39.7% French-speaking com pared to 63.5% and 36.5% respectively in 1978.

In the professional ranks, overall equitable representation has been achieved more or less in the areas of administrative support and "others". Of the remaining categories the French-speaking are over-represented in the professional and scientific ranks while the English-speaking are over-represented in other levels. The gap is widest at the level of senior executives.

At the central Office, equitable representation has not been achieved in any category as the English speakers are over-represented throughout. There has been little change between 1982 and 1985 with the exception of the senior executive rank in which representation of French-speaking civil servants has grown from 16.7% to 20.6%. In some categories there has been little change while in others there has been a decline in the representation of the French-speaking community.

In the regions, equitable representation is in place at the technical level. The French speakers are over-represented in the professional and scientific ranks and in the administrative services and administrative support levels, the English-speaking are over-represented at the senior executive and operational levels. Between 1982 and 1985 the numbers of English-speaking civil servants has declined in three categories, those of French-speaking personnel in the three other levels while the proportions in the operational category has remained the same.

Today 90% of the English-speaking civil servants are unilingual which is similar to the position in 1978. These are 1.9% fewer unilinguals at the Central Office while the percentage in the regions has grown by 1.9%. The proportion English-speaking of fluent bilinguals has declined while the percentage of functional bilinguals has grown by 2.1% at the Central Office although it has diminished in the regions. The number of French-speaking unilinguals has decreased slightly both at the Central Office and in the regions. The proportion of fluent French-speaking bilinguals has declined by 8.1% overall, with a 10.8% drop in the regions but a 2.1% increase at the Central Office. Altogether 27% of the civil servants are fluently bilingual, 10.6% are functionally bilingual giving a total of 37.6% of the civil servants. Accordingly, 3,436 civil servants are bilingual of which the French-speaking make up 82.1%, compared to 2,497 in 1978 when the French-speaking made up 77.5%.

RECOMMENDATION 26

It is recommended that all civil servants appreciate that efficient service to the public requires that:

1) *the primary responsibility of a civil servant is to provide service to citizens according to the standards and procedures established within a department;*

2) *this responsibility demands that the citizen be served efficiently in a manner which respects his or her linguistic choice, and that the citizen be made aware of the existence of that choice; and*

3) *if the civil servant, when addressed by a citizen, lacks the linguistic capacity to fully comprehend his or her request, the civil servant has a duty to refer the citizen to a colleague with the capacity to provide the service.*

RECOMMENDATION 27

It is recommended that in accordance with the four principles and objectives of this Report the civil service:

1) *respect the policies of government with regard to linguistic rights and in particular the provision of equal services to the citizens of the province in the language of their choice;*

2) *make available the human resources, in proportion to the linguistic population makeup, to ensure equal services to the two linguistic groups;*

3) *provide a work environment in which civil servants working principally in either of the two official languages are placed in constant and direct contact with colleagues working in the same official language; at the same time means should be made available for civil servants of either linguistic group to increase their second language capacity where such capacity is relevant to their present post or future promotion.*

4) *organize regional offices according to the linguistic makeup of each region and to accommodate the minority groups in areas where the other group predominates so as to provide them equal services in their respective languages.*

RECOMMENDATION 28

It is recommended, to eliminate doubt, that a list of departments and agencies subject to the linguistic legislation be compiled and include:

The Workers Compensation Board
The Commission on Alchoolism and Drug Dependency
The Human Rights Commission
The New Brunswick Electric Power Commission
The Health and Safety Commission
The Public Service Commission
The Liquor Licensing Control Board
The Farm Products Marketing Commission
The New Brunswick Police Commission
The Advisory Committee on the Status of Women
The Board of Management
The New Brunswick Liquor Commission
The Department of Municipal Affairs and the Environment
The Department of Agriculture
The Department of Income Assistance
The Department of Supply and Services
The Office of the Comptroller
The Department of Commerce and Technology
The Department of Education
The Department of Advanced Education and Training
The Department of Finance
The Department of Forests, Mines and Energy
The Department of Justice
The Department of Fisheries
The Department of Transportation
The Department of Health and Social Services
The Department of Tourism, Recreation and Heritage
The Department of Labour and Human Resources
The Office of the Ombudsman
The Cabinet Secretariat
The Community Improvement Corporation
The New Brunswick Housing Corporation
The Office of the Auditor General
The Kings Landing Corporation

The large majority of civil servants are unilingual at present and their employment rights must be protected with respect to promotions whenever new linguistic criteria are adopted and implemented. Those civil servants must be encouraged to achieve the required capacity in their second language and assisted according to aptitude. Those civil servants who are bilingual should be encouraged and assisted to maintain and improve their capacity in one or both of the official languages.

RECOMMENDATION 29

It is recommended that:

1) the government maintain over the ten year period from the adoption of the Report second language programmes for civil servants of both groups whose promotion might be affected by new linguistic requirements;

These programmes should:

a) demand some commitment in time and/or money on the part of those who wish to take advantage of such courses; and

b) evaluate the participants according to the provincial second language linguistic scale and in relation to the post concerned.

2) the departments, agencies and other bodies provide personnel with the opportunity for acquiring and upgrading second language capacity.

3) personnel exchanges between work units be encouraged;

4) the opportunities for second language professional competency development in either of the official languages be treated equally with other opportunities for professional development.

The recommendations above apply to all departments and agencies of government; nevertheless there are specific recommendations which pertain to individual departments still to be given. The recent programme of government reform, not all of which has been implemented at this time, has effected this presentation. Accordingly, the Committee has elected to refer to the governmental structure as it is known and in place at the time of the writing of this Report.

The titles used are those adopted following the implementation of the programme of government reform but within each of these new designations are to be found descriptions of the former departments and their respective linguistic profiles.

1. Department of Transportation

This Department is responsible for the design and maintenance of the province's highways and bridges and is responsible for legislation regulating the use of motor vehicles. It is now responsible for the maintenance of government vehicles and school buses.[1]

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1. **The descriptions of the responsibilities of the departments and agencies is taken principally from "Perspectives", October 1985, p. 6-8.**

TABLE 4

DEPARTMENT OF TRANSPORTATION
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	1 500	76,5	803	77,4
French-speaking	460	23,5	235	22,6
TOTAL	1 960	100,0	1038	100,0
		Central Office		
			(Uniden. 21)	
English-speaking	409	91,7	243	91,4
French-speaking	37	08,3	23	08,6
TOTAL	446	100,0	266	100,0
		Regional Offices		
English-speaking	1 091	72,1	560	72,5
French-speaking	423	27,9	212	27,5
TOTAL	1 514	100,0	772	100,0

TABLE 5

DEPARTMENT OF TRANSPORTATION
By Linguistic Community, Place of Work and Language Group

	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	1 415	72,2	94,3	770	74,2	95,9
Bil (a)	20	01,0	01,3	12	01,2	01,5
Bil (b)	65	03,3	04,3	21	02,0	02,6
Sub-Total	1 500	76,5	100,0	803	77,4	100,0
French-speaking						
Unil.	14	00,7	03,0	11	01,1	04,7
Bil (a)	320	16,4	69,6	181	17,4	77,0
Bil (b)	126	06,4	27,4	43	04,1	18,3
Sub-Total	460	23,5	100,0	235	22,6	100,0
TOTAL	1 960	100,0		1 038	100,0	
			Central Office			
English-speaking						
Unil.	365	81,8	89,2	232	87,2	95,5
Bil (a)	3	00,7	00,7	1	00,4	00,4
Bil (b)	41	09,2	10,1	10	03,8	04,1
Sub-Total	409	91,7	100,0	243	91,4	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	33	07,4	89,2	23	08,6	100,0
Bil (b)	4	00,9	10,8	0	00,0	00,0
Sub-Total	37	08,3	100,0	23	08,6	100,0
TOTAL	446	100,0		266	100,0	
			Regional Offices			
English-speaking						
Unil.	1 050	69,4	96,2	538	69,7	96,1
Bil (a)	17	01,1	01,6	11	01,4	02,0
Bil (b)	24	01,6	02,2	11	01,4	02,0
Sub-Total	1 091	72,1	100,0	560	72,5	
French-speaking						
Unil.	14	00,9	03,3	11	01,4	05,2
Bil (a)	287	19,0	67,8	158	20,5	74,5
Bil (b)	122	08,0*	28,8	43	05,6	20,3
Sub-Total	423	27,9	100,0	212	27,5	100,0
TOTAL	1 514	100,0		772	100,0	

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* = Percentile (0.1) adjustment.

TABLE 6

DEPARTMENT OF TRANSPORTATION
By Linguistic Community, Place of Work and Language Group

Category	October 1985 English N	October 1985 English %	October 1985 French N	October 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	10	90,9	1	09,1	9	100,0	0	00,0
Scient. & Prof.	75	85,2	13	14,8	75	83,3	15	16,7
Adm. Services	48	80	12	20,0	43	79,6	11	20,4
Technical	181	81,5	41	18,5	180	81,8	40	18,2
Adm. Support	216	76,6	62	23,4	218	79,3	57	20,7
Operational	962	74,5	330	25,5	1017	74,6	346	25,4
Others	8	88,9	1	11,1	5	83,3	1	16,7
TOTAL	1500	76,5	460	23,5	1547	76,7	470	23,3
		(1960)	(100,0)			(2017)	(100,0)	
Central Office								
Senior Exec.	9	90,0	1	10,0	9	100,0	0	00,0
Scient. & Prof	60	90,9	6	09,1	64	88,9	8	11,1
Adm. Services	29	93,5	2	06,5	27	93,1	2	06,9
Technical	120	92,3	10	07,7	126	93,3	9	06,7
Adm. Support	129	92,1	11	07,9	140	92,1	12	07,9
Operational	56	90,3	6	09,7	54	90,0	6	10,0
Others	6	85,7	1	14,3	3	75,0	1	25,0
TOTAL	409	91,7	37	08,3	423	91,8	38	08,2
		(446)				(461)		
Regional Offices								
Senior Exec.	1	100,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	15	68,2	7	31,8	11	61,1	7	38,9
Adm. Services	19	65,5	10	34,5	16	64,0	9	36,0
Technical	61	66,3	31	33,7	54	63,5	31	36,5
Adm. Support	87	63,0	51	37,0	78	63,4	45	36,6
Operational	906	73,7	324	26,3	963	73,9	340	26,1
Others	2	100,0	0	00,0	2	100,0	0	00,0
TOTAL	1091	72,1	423	27,9	1124	72,2	432	27,8
		(1514)		(100,0)		(1556)	(100,0)	

The tables reveal that there has been little change in the linguistic makeup of the Department during the last seven years and that it has not achieved the goal of equitable representation particularly since French-speaking civil servants constitute only 23.5% overall - 27.9% in the regions and 8.3% in the Central Office. No professional category has reached equitable representation. As regards the bilingual capacity of the civil servants, there has been a 6.3% decrease in unilingual English-speaking civil servants in the Central Office whose numbers now constitute 89.2% of the English-speaking complement. In regard to the French-speaking civil servants there has been a slight fall in the numbers of unilinguals, a 7.4% decrease in the numbers of the fluently bilingual but an increase of 9.1% in functional bilinguals. The bilinguals make up 27.1% of which group the French speakers comprise 84%. At the Central Office, 18.2% are bilingual as compared with 29.7% in the regions.

Some presenters complained of the inability of this Department to provide services in French and of special problems of correspondence in French. The participants also raised later the absence of a policy of bilingual signage which is raised in this Report in the section on regional identity under signs and placenames. The shortcomings listed by the presenters should be corrected by the adoption of the principles and objectives recommended in this Report.

2. Department of Health and Community Services

This Department is intended to take over some of the operations of the former departments of Health and Social Services. At the time of writing the restructuring process was incomplete.

This new Department is responsible for providing a variety of health and social services that were formerly offered by two separate departments - Health and Social Services.

It will be responsible for all community-based and institutional health and social services including Mental Health clinics and personal social services and hospitals, nursing homes, special care homes, group homes, sheltered workshops, emergency shelters, community residences and health service centres.

Health and Community Services will have social workers, home economists, nutritionists, psychologists, community health nurses, therapists and other professionals formerly of the departments of Health and Social Services.

They will provide a range of personal social services such as adoption and child care, adolescent single parents, services to native people, vocational rehabilitation, and community-based services for the disabled and for senior citizens.

The department will also provide community health services such as immunization, well child clinics, preschool clinics, prenatal classes, nutrition counselling, dental education, home care, the senior's rehabilitation equipment programme, renal dialysis, disease control and public health inspection. It will also provide mental health clinics giving psychological and psychiatric assessments, family and individual therapy, rehabilitation services and child management programmes.

The new department will be responsible for Medicare, the prescription drug programme, services for the aged, the ambulance programme and vital statistics services. It will contain one administration division and a single planning section. Each will include staff and resources from both of the former departments of Health and Social Services which will use more efficiently the planning and administrative support staff.

The close links between many of the health and social services offered in the province will permit one organization to provide easier access for citizens to a comprehensive range of services and will ensure better co-ordination in the planning, organization and delivery of services. The new department will also develop more effective coordination between institutional and community based services to ensure that the range of services and the methods used for providing them are appropriate to individual needs. Assessment of needs and development of individualized service will be addressed by multidisciplinary teams of professionals. Liaison with the many volunteer groups and associations relied upon by the department will be simplified by the merger.

The priorities of the new department include the continued development of community-based services, with particular emphasis on consolidating and simplifying access to community health and social services programmes and ensuring that field offices have enough decision-making authority to respond efficiently to local needs.

The Minister of Health and Community Services will also be responsible for the Alcoholism and Drug Dependency Commission.

The Committee's examination of this area and the responses of the presenters related to the two former departments making up the new Department. These two former departments attracted particular attention because of the special relationship between the capacity of the citizen to communicate his or her very personal problems and the corrective services offered.

a) Department of Health

TABLE 7

DEPARTMENT OF HEALTH
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	362	63,5	735	72,9
French-speaking	208	36,5	273	27,1
TOTAL	570	100,0	1008	100,0
		Central Office		
			(Uniden. 52)	
English-speaking	204	82,6	298	88,4
French-speaking	43	17,4	39	11,6
TOTAL	247	100,0	337	100,0
		Regional Offices		
English-speaking	158	48,9	437	65,1
French-speaking	165	51,1	234	34,9
TOTAL	323	100,0	671	100,0

TABLE 8

DEPARTMENT OF HEALTH
By Linguistic Community, Professional Category and Place of Work

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	304	53,3	84,0	659	65,3*	89,7
Bil (a)	18	03,1	05,0	24	02,4	03,3
Bil (b)	40	07,1*	11,0	52	05,2	02,9
Sub-Total	362	63,5	100,0	735	72,9	100,0
French-speaking						
Unil.	2	00,4	01,0	5	00,5	01,8
Bil (a)	164	28,8	78,8	258	25,6	94,5
Bil (b)	42	07,3*	20,2	10	01,0	03,7
Sub-Total	208	36,5	100,0	273	27,1	100,0
TOTAL	570	100,0		1 008	100,0	
			Central Office			
English-speaking						
Unil.	175	70,8	85,8	261	77,4	87,6
Bil (a)	4	01,6	02,0	9	02,7	03,0
Bil (b)	25	10,2*	12,3	28	08,3	09,4
Sub-Total	204	82,6	100,0	298	88,4	100,0
French-speaking						
Unil.	0	00,0	00,0	2	00,6	05,1
Bil (a)	42	17,0	97,7	37	11,0	94,9
Bil (b)	1	00,4	02,3	0	00,0	00,0
Sub-Total	43	17,4	100,0	39	11,6	100,0
TOTAL	247	100,0		337	100,0	
			Regional Offices			
English-speaking						
Unil.	129	39,9	81,6	398	59,3	91,1
Bil (a)	14	04,4*	08,9	15	02,2	03,4
Bil (b)	15	04,6	09,5	24	03,6	05,5
Sub-Total	158	48,9	100,0	437	65,1	100,0
French-speaking						
Unil.	2	00,6	01,2	3	00,5	01,3
Bil (a)	122	37,8	73,9	221	32,9	94,4
Bil (b)	41	12,7	24,9	10	01,5	04,3
Sub-Total	165	51,1	100,0	234	34,9	100,0
TOTAL	323		100,0	671		100,0

* = Percentile (.01) adjustment.

TABLE 9

DEPARTMENT OF HEALTH
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	October 1985 English %	October 1985 French N	October 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	9	69,2	4	30,8	9	81,8	2	18,2
Scient. & Prof.	157	55,9	124	44,1	155	58,9	108	41,1
Adm. Services	30	68,2	14	31,8	26	65,0	14	35,0
Technical	22	61,1	14	38,9	22	57,9	16	42,1
Adm. Support	133	72,7	50	27,3	132	75,4	43	24,6
Operational	6	75,0	2	25,0	8	53,3	7	46,7
Others	5	100,0	0	00,0	4	80,0	1	20,0
TOTAL	362	63,5	208	36,5	356	65,1	191	34,9
		(570)	(100,0)			(547)	(100,0)	
Central Office								
Senior Exec.	9	69,2	4	30,8	9	81,8	2	18,2
Scient. & Prof	53	86,8	8	13,2	55	80,9	13	19,1
Adm. Services	29	67,4	14	32,6	26	68,4	12	31,6
Technical	5	100,0	0	00,0	5	83,3	1	16,7
Adm. Support	103	85,8	17	14,2	96	85,7	16	14,3
Operational	1	100,0	0	00,0	1	25,0	3	75,0
Others	4	100,0	0	00,0	3	75,0	1	25,0
TOTAL	204	82,6	43	17,4	195	80,2	48	19,8
		(247)	(100,0)			(243)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	104	47,3	116	52,7	100	51,3	95	48,7
Adm. Services	1	100,0	0	00,0	0	00,0	2	100,0
Technical	17	54,8	14	45,2	17	53,1	15	46,9
Adm. Support	30	47,6	33	52,4	36	57,1	27	42,9
Operational	5	71,4	2	28,6	7	63,6	4	36,4
Others	1	100,0	0	00,0	1	100,0	0	00,0
TOTAL	158	48,9	165	51,1	161	53,0	143	47,0
		(323)	(100,0)			(306)	(100,0)	

Equitable representation has been achieved overall and indeed the proportion of French-speaking civil servants is slightly greater than French-speaking representation in the general population. However in the Central Office the French speakers are underrepresented as are the English speakers in the regions. Equitable representation has almost been reached in the professional categories in provincial terms and there has been an increase in French-speaking representation in the higher ranks which approaches that objective. The English speakers are under-represented in the scientific, professional and technical levels while the French speakers are underrepresented in the other categories. The proportion of unilinguals from both groups have decreased, both at the Central Office and in the regions. The proportion of fluently bilingual French-speaking civil servants have increased in the Central Office while the percentages of fluently bilingual English speakers has declined albeit the percentages of functional bilingual civil servants have grown in both groups. In the regional offices, the proportion of fluently bilingual civil servants has increased by 5.5% amongst the English speakers and has declined by 20.5% amongst the French speakers. The functionally bilingual English speakers have increased by 4% and the functionally bilingual French speakers by 20.6%. Overall, 46.3% of the civil servants are bilingual of whom 78% are French speakers. The percentage of bilinguals in the Central Office is 29.2% and is 59.5% in the regions.

During the hearing phase, the English speakers argued that the equality of health care must come before matters of linguistic considerations and that translation, while not ideal, is nevertheless acceptable. They were adamant that the legislation governing hospitals should not be changed and that each hospital should be left to make its own decisions through its board. The setting up of a network of distinct institutions, as recommended by the Report of the Task Force "Towards Equality of the Two Official Languages" did not concern them since their hospitals are directed at a predominantly English-speaking clientele. In the northeast of the province two English-language organizations stressed the need of speech therapy services by an English speaker.

On the other hand the French speakers emphasized the importance of communication in the language of the patient as essential in specialized health care. They also argued for the creation of individual institutions for the two communities to create a setting in which patients would feel comfortable. They also made the point that health care training for French-speaking specialists should be available in French particularly in the areas of radiology and laboratory technology. They also underlined the differentials in personnel resources and equipment between the two communities which consequently affected life expectancy.

The regional hospital at Saint John which provides specialized, tertiary services to the whole province said that it was in the process of implementing a language policy for the provision of services in specialized medicine.

RECOMMENDATION 30

It is recommended that the Department of Health and Community Services ensure that citizens receive services of equal quality in their language.

RECOMMENDATION 31

It is recommended that the Department of Health and Community Services both in their planning and locating of tertiary services in the province ensure equitable distribution of services to the two linguistic communities. Where there is only one facility offering tertiary care then the medical team should be able to provide the services in the language of the patient.

RECOMMENDATION 32

It is recommended that the Department of Health and Community Services provide the opportunities for both professional and technical education and also continuing professional development in both official languages.

The distribution of monies for capital expenditures and operational costs was seen by some as not conforming to any clearly impartial set of criteria and this was therefore a cause of some concern.

RECOMMENDATION 33

It is recommended that the Department of Health and Community Services ensure that criteria for the distribution of funds for capital costs be equitably applied both to community services and health. It is further recommended that the Department develop criteria for the equitable distribution of funds for operating budgets throughout the province.

During the hearings the presenters raised, in particular, the unequal distribution of doctors throughout the different regions of the province.

RECOMMENDATION 34

It is recommended that the Department of Health and Community Services set up an arrangement for financial support for medical students who will undertake to provide their services in designated areas of need for a period of time on completion of their education.

In order to overcome such disparities in availability of health care services, for example that of neonatal care which is available only in English-language institutions in Fredericton, Moncton and Saint John:

RECOMMENDATION 35

It is recommended that the Department of Health and Community Services develop within its planning section a co-ordinating committee representing both linguistic communities in order to ensure that the planning of health services will be based on the same criteria for all citizens.

RECOMMENDATION 36

It is recommended that the Department of Health and Community Services ensure that the Provincial Advisory Committee on Secondary and Tertiary Health care comprise, in addition to medical personnel, laypersons representing the regions and the two linguistic groups to guarantee input on the location and development of secondary and tertiary services..

B) Department of Social Services

This agency was responsible for providing all community services answering to social needs. The family services legislation granted to the department the all-encompassing duty to deliver all services relating to prevention, protection, rehabilitation and enrichment of persons and families. The wide range of services includes adoption, child welfare, protection of children and adults, assistance to young single parents, services to native people, vocational rehabilitation and community services to the handicapped and the elderly. The particularly personal nature of such services renders communication in one's own language essential.

These broad responsibilities serve to explain the size of the department whose staff numbers, as of March 31st, 1985, were 804 operating from 20 regional offices and overseeing two major institutions - the Miramichi Auxiliary Home (with a staff of 44) and the Dr. William F. Roberts Hospital-School (with a staff of 65 and now closed).

TABLE 10

DEPARTMENT OF SOCIAL SERVICES
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
Provincial Total				
English-speaking	439	54,6	253	57,5
French-speaking	365	45,4	187	42,5
TOTAL	804	100,0	440	100,0
Central Office				
			(Uniden. 19)	
English-speaking	141	81,0	117	89,3
French-speaking	33	19,0	14	10,7
TOTAL	174	100,0	131	100,0
Regional Offices				
English-speaking	298	47,3	136	44,0
French-speaking	332	52,7	173	56,0
TOTAL	630	100,0	309	100,0

TABLE 11

DEPARTMENT OF SOCIAL SERVICES
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	420	52,2	95,7	235	53,4	92,9
Bil (a)	6	00,7	01,4	4	00,9	01,6
Bil (b)	13	01,7*	03,0	14	03,2	05,5
Sub-Total	439	54,6	100,0	253	57,5	100,0
French-speaking						
Unil.	19	02,4	05,2	14	03,2	07,5
Bil (a)	309	38,4	84,7	143	32,5	76,5
Bil (b)	37	04,6	10,1	30	06,8	16,0
Sub-Total	365	45,4	100,0	187	42,5	100,0
TOTAL	804	100,0		440	100,0	
			Central Office			
English-speaking						
Unil.	136	78,2	96,5	107	81,7	91,5
Bil (a)	3	01,7	02,1	3	02,3	02,6
Bil (b)	2	01,1	01,4	7	05,3	06,0
Sub-Total	141	81,0	100,0	117	89,3	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	33	19,0	100,0	14	10,7	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	33	19,0	100,0	14	10,7	100,0
TOTAL	174	100,0		131	100,0	
			Regional Offices			
English-speaking						
Unil.	284	45,1	95,3	128	41,4	94,1
Bil (a)	3	00,5	01,0	1	00,3	00,7
Bil (b)	11	01,7	03,7	7	02,3	05,1
Sub-total	298	47,3	100,0	136	44,0	100,0
French-speaking						
Unil.	19	03,0	05,7	14	04,5	08,1
Bil (a)	276	43,8	83,1	129	41,7	74,6
Bil (b)	37	05,9	11,1	30	09,8*	17,3
Sub-total	332	52,7	100,0	173	56,0	100,0
TOTAL	630	100,0		309	100,0	

* = Percentile (.01) adjustment.

TABLE 12

DEPARTMENT OF SOCIAL SERVICES
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	October 1985 English %	October 1985 French N	October 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	3	60,0	2	40,0	3	50,0	3	50,0
Scient. & Prof.	226	49,3	232	50,7	191	45,4	230	54,6
Adm. Services	23	69,7	10	30,3	20	69,0	9	31,0
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	132	54,1	112	45,9	130	53,9	111	46,1
Operational	52	86,7	8	13,3	0	00,0	1	100,0
Others	3	75,0	1	25,0	4	80,0	1	20,0
TOTAL	439	54,6	365	45,4	348	49,5	355	50,5
		(804)	(100,0)			(703)	(100,0)	
Central Office								
Senior Exec.	2	50,0	2	50,0	3	50,0	3	50,0
Scient. & Prof	63	80,8	15	19,2	69	78,4	19	21,6
Adm. Services	14	73,7	5	26,3	19	73,1	7	26,9
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	59	85,5	10	14,5	68	85,0	12	15,0
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	3	75,0	1	25,0	3	100,0	0	00,0
TOTAL	141	81,0	33	19,0	162	79,8	41	20,2
		(174)	(100,0)			(203)	(100,0)	
Regional Offices								
Senior Exec.	1	100,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	163	42,9	217	53,1	122	36,6	211	63,4
Adm. Services	9	64,3	5	35,7	1	33,3	2	66,6
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	73	41,7	102	58,3	62	38,5	99	61,5
Operational	52	86,7	8	13,3	0	00,0	1	100,0
Others	0	00,0	0	00,0	1	50,0	1	50,0
TOTAL	298	332			186	37,2	314	62,8
		(630)	(100,0)			(500)		(100,0)

This Department has not reached the goal of equitable representation in that the French speakers are under-represented in the Central Office and the English speakers under-represented in the regions. The tables show also that 95.7% of the English speakers are unilingual which is an increase from 1978; the unilingual French speakers represent 5.2% of all French-speaking civil servants in the Department which percentage has declined since 1978. The numbers of bilinguals overall make up 45.4%, with 21.8% in the Central Office, and 51.9% in the regions - the French speakers comprise 94.8% of all bilinguals. Equitable representation has not been achieved in the professional categories with the exception of administrative services in the regions.

3. The Department of Justice

This Department is divided into four divisions. The Attorney General's Division is responsible for the administration of the courts of the province running from the Small Claims Court, the Provincial Court, the Family Court, the Court of Queen's Bench to the Court of Appeal of New Brunswick. In addition this division provides services through the Law Reform Branch, the Legal Services Branch, the Public Prosecutions Branch and oversees the funding of Legal Aid.

The Justice Services Division encompasses consumer and corporate affairs and the office of the provincial rentalsmen along with the supervision of legal policies covering expropriation of land, the insurance industry, the operation of the Registry system and a planning division.

The law enforcement division deals with the corrections system, the provision of policing services and the sheriff system province-wide.

The administrative services division ensures internal services to the department such as budgeting, accounting and auditing.

This department enjoys a special significance in a jurisdiction such as New Brunswick which is the only province which recognizes two official languages. Accordingly the department is charged with the duty of ensuring the observance of the linguistic rights of the citizens guaranteed by the Constitution Act (1982), the Official Languages of New Brunswick Act of 1969 and the Act Recognizing the Equality of the Two Official Linguistic Communities of 1981.

In order to meet the responsibilities placed upon the department the various Ministers of Justice have in recent years attempted to put into effect policies to ensure services to the public from the various divisions in all regions of the province. This has included the provision of reception, correspondence and personnel services in the language of the consumer. In addition the department has undertaken to guarantee bilingual court services, bilingual prosecutors for criminal matters, bilingual representation of the province in litigation involving the citizen and the province and full
language services to private parties involved in civil suits before the courts of the province. Such services include the providing of bilingual court personnel, interpreters, duty counsel, judicial officers and members of boards and tribunals.

TABLE 13

DEPARTMENT OF JUSTICE
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	589	62,8	405	74,2
French-speaking	349	37,2	141	25,8
TOTAL	938	100,0	546	100,0
		Central Office		
			(Uniden. 15)	
English-speaking	256	82,6	185	95,4
French-speaking	54	17,4	9	04,6
TOTAL	310	100,0	194	100,0
		Regional Offices		
English-speaking	333	53,0	220	62,5
French-speaking	295	47,0	132	37,5
TOTAL	628	100,0	352	100,0

TABLE 14

DEPARTMENT OF JUSTICE
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	508	54,1	86,2	371	68,0*	91,6
Bil (a)	24	02,5	04,1	17	03,1	04,2
Bil (b)	57	06,2*	09,7	17	03,1	04,2
Sub-Total	589	62,8	100,0	405	74,2	100,0
French-speaking						
Unil.	0	00,0	00,0	2	00,4	01,4
Bil (a)	247	26,3	70,8	134	24,5	95,0
Bil (b)	102	10,9	29,2	5	00,9	03,5
Sub-Total	349	37,2	100,0	141	25,8	100,0
TOTAL	938	100,0		546	100,0	
			Central Office			
English-speaking						
Unil.	223	71,9	87,1	166	85,6	89,7
Bil (a)	9	02,9	03,5	5	02,6	02,7
Bil (b)	24	07,8*	09,4	14	07,2	07,6
Sub-Total	256	82,6	100,0	185	95,4	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	42	13,5	77,8	9	04,6	100,0
Bil (b)	12	03,9	22,2	0	00,0	00,0
Sub-Total	54	17,4	100,0	9	4,6	100,0
TOTAL	310	100,0		194	100,0	
			Regional Offices			
English-speaking						
Unil.	285	45,4	85,6	205	58,3*	93,2
Bil (a)	15	02,4	04,5	12	03,4	05,5
Bil (b)	33	05,2*	09,9	3	00,8	01,4
Sub-Total	333	53,0	100,0	220	62,5	100,0
French-speaking						
Unil.	0	00,0	00,0	2	00,6	01,5
Bil (a)	205	32,7*	69,5	125	35,5	94,7
Bil (b)	90	14,3	30,5	5	01,4	03,8
Sub-Total	295	47,0	100,0	132	37,5	100,0
TOTAL	628	100,0		352	100,0	

* = Percentile (.01) adjustment.

TABLE 15

DEPARTMENT OF JUSTICE
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	%	French N	%	March 1982 English N	%	French N	%
Provincial Total								
Senior Exec.	20	74,1	7	25,9	19	79,2	5	20,8
Scient. & Prof.	61	67,8	29	32,2	54	62,8	32	37,2
Adm. Services	42	62,7	25	37,3	87	68,0	41	32,0
Technical	1	100,0	0	00,0	0	00,0	0	00,0
Adm. Support	191	60,1	127	39,9	219	64,8	119	35,2
Operational	175	66,0	90	34,0	156	64,7	85	35,3
Others	99	58,2	71	41,8	4	50,0	4	50,0
TOTAL	589	62,8	349	37,2	539	65,3	286	34,7
		(938)	(100,0)			(825)	(100,0)	
Central Office								
Senior Exec.	8	100,0	0	00,0	6	100,0	0	00,0
Scient. & Prof	30	85,7	5	14,3	30	85,7	5	14,3
Adm. Services	20	74,1	7	25,9	54	78,3	15	21,7
Technical	1	100,0	0	00,0	0	00,0	0	00,0
Adm. Support	84	80,0	21	20,0	93	84,5	17	15,5
Operational	66	91,7	6	08,3	62	95,4	3	04,6
Others	47	75,8	15	24,2	3	50,0	3	50,0
TOTAL	256	82,6	54	17,4	248	85,2	43	14,8
		(310)	(100,0)			(291)	(100,0)	
Regional Offices								
Senior Exec.	12	63,2	7	36,8	13	72,2	5	27,8
Scient. & Prof.	31	56,4	24	43,6	24	47,1	27	52,9
Adm. Services	22	55,0	18	45,0	33	55,9	26	44,1
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	107	50,2	106	49,8	126	55,3	102	44,7
Operational	109	56,5	84	43,5	94	53,4	82	46,6
Others	52	48,1	56	51,9	1	50,0	1	50,0
TOTAL	333	53,0	295	47,0	291	54,9	243	45,5
		(628)	(100,0)			(534)	(100,0)	

The tables show an overall advancement in French-speaking representation in the department - from 4.6% to 17.4% in the Central Office and from 37.5% to 47% in the regions. However, in these two areas it can be said that equitable representation has not been achieved since the French speakers are under-represented at the Central office and the English speakers are under-represented in the regions. In regard to the bilingual capacity of the civil servants, the proportion of unilingual English speakers shows a clear decrease since 1978 which change is most marked in the regions. All of the French-speaking civil servants are bilingual. Amongst the two language groups, the proportion of functional bilinguals has increased while that of fluently bilinguals has declined. The bilinguals make up 45.9% of the civil servants as a group - 28.1% at the Central Office and 54.6% in the regions. The French constitute 81.2% of the bilinguals.

In regard to the professional categories, equitable representation has more or less been achieved in the province overall as seen in the scientific, professional and service categories. In the other categories, the French are represented beyond their proportion in the general population.

During the hearings some of the presenters, while recognizing that some of the pertinent recommendations had been overtaken by the Constitution Act (1982), supported other recommendations of the Report of the Task Force "Towards the Equality of the Two Official Languages". In certain cases the briefs wanted to go further. Other objected to some of the recommendations preferring translation and interpretation. There was one representation for better linguistic services in the centres of detention for French-speaking citizens.

To meet these complaints and opinions:

RECOMMENDATION 37

It is recommended that the Registry Offices as institutions of government have the capacity to serve the citizens of both official linguistic groups in their language.

RECOMMENDATION 38

It is recommended that institutions of detention, rehabilitation and probation supervision continue to be organized so as to meet the linguistic needs of their clientele.

RECOMMENDATION 39

It is recommended that tribunals, boards and committees having quasi-judical authority in matters of individual and collective rights have the capacity to hear citizens in their language.

RECOMMENDATION 40

It is recommended that the training of translators and judicial interpreters in legal terminology be carried out by appropriate provincial institutions of higher learning.

RECOMMENDATION 41

It is recommended that the Department ensure that legal officers assigned to provide services to such bodies as school boards and municipalities have the capacity to provide those services in the language of the recipients of the services.

RECOMMENDATION 42

It is recommended that where only one judicial officer is assigned to a bilingual region then the person appointed should be bilingual at the time of appointment. And, where there is more than one judicial officer assigned to a bilingual region, the linguistic needs of the region and the general principles and objectives advocated in this Report should determine the suitability of appointees.

4. Department of Advanced Education and Training

This new department is responsible for postsecondary education and job-training programmes. It will place emphasis on the "economic" or job-training aspects of education, complementing the "social" or life-skill-development emphasis of the public school system.

TABLE 16

DEPARTMENT OF ADVANCED EDUCATION AND TRAINING
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
Provincial Total				
English-speaking	489	56,1	343	59,5
French-speaking	382	43,9	233	40,5
TOTAL	871	100,0	576	100,0
Central Office				
			(Uniden. 164)	
English-speaking	48	66,7	39	83,0
French-speaking	24	33,3	8	17,0
TOTAL	72	100,0	47	100,0
Regional Offices				
English-speaking	441	55,2	304	57,5
French-speaking	358	44,8	225	42,5
TOTAL	799	100,0	529	100,0

TABLE 17

DEPARTMENT OF ADVANCED EDUCATION AND TRAINING
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
Provincial Total						
English-speaking						
Unil.	435	49,9	89,0	310	53,8	90,4
Bil (a)	20	02,3	04,1	14	02,4	04,1
Bil (b)	34	03,9	07,0	19	03,3	05,5
Sub-Total	489	56,1	100,0	343	59,5	100,0
French-speaking						
Unil.	1	00,1	00,3	2	00,0	00,9
Bil (a)	293	33,6	76,7	200	34,7	85,8
Bil (b)	88	10,2	23,0	31	05,5*	13,3
Sub-Total	382	43,9	100,0	233	40,5	100,0
TOTAL	871	100,0		576	100,0	
Central Office						
English-speaking						
Unil.	40	55,6	83,3	33	70,2	84,6
Bil (a)	3	04,2	06,3	3	06,4	07,7
Bil (b)	5	06,9	10,4	3	06,4	07,7
Sub-Total	48	66,7	100,0	39	83,0	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	23	31,9	95,8	8	17,0	100,0
Bil (b)	1	01,4	04,2	0	00,0	00,0
Sub-Total	24	33,3	100,0	8	17,0	100,0
TOTAL	72	100,0		47	100,0	
Regional Offices						
English-speaking						
Unil.	395	49,4	89,6	277	52,4	91,1
Bil (a)	17	02,2*	03,9	11	02,1	03,6
Bil (b)	29	03,6	06,6	16	03,0	05,3
Sub-Total	441	55,2	100,0	304	57,5	100,0
French-speaking						
Unil.	1	00,1	00,3	2	00,4	00,9
Bil (a)	270	33,8	75,4	192	36,3	85,3
Bil (b)	87	10,9	24,3	31	05,8*	13,8
Sub-Total	358	44,8	100,0	225	42,5	100,0
TOTAL	799	100,0			529	100,0

* = Percentile (.01) adjustment).

TABLE 18

DEPARTMENT OF ADVANCED EDUCATION AND TRAINING
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	%	French N	%	March 1982 English N	%	French N	%
Provincial Total								
Senior Exec.	1	33,3	2	66,7	4	66,7	2	33,3
Scient. & Prof.	352	58,1	254	41,9	297	57,9	216	42,1
Adm. Services	11	57,9	8	42,1	5	50,0	5	50,0
Technical	1	33,3	2	66,7	2	100,0	0	00,0
Adm. Support	63	57,3	47	42,7	53	54,1	45	45,9
Operational	56	45,2	68	54,8	45	36,9	77	63,1
Others	5	83,3	1	16,7	2	66,7	1	33,3
TOTAL	489	56,1	382	43,9	408	54,1	346	45,9
		(871)	(100,0)	(754)		(100,0)		
Central Office								
Senior Exec.	1	33,3	2	66,7	2	66,7	1	33,3
Scient. & Prof	23	69,7	10	30,3	20	69,0	9	31,0
Adm. Services	3	50,0	3	50,0	3	42,9	4	57,1
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	17	68,0	8	32,0	18	72,0	7	28,0
Operational	1	100,0	0	00,0	1	100,0	0	00,0
Others	3	75,0	1	25,0	2	100,0	0	00,0
TOTAL	48	66,7	24	33,3	46	68,7	21	31,3
		(72)	(100,0)			(67)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	2	66,7	1	33,3
Scient. & Prof.	329	57,4	244	42,6	277	57,2	207	42,8
Adm. Services	8	61,5	5	38,5	2	66,7	1	33,3
Technical	1	33,3	2	66,7	2	100,0	0	00,0
Adm. Support	46	54,1	39	45,9	35	47,9	38	52,1
Operational	55	44,7	68	55,3	44	36,4	77	63,6
Others	2	100,0	0	00,0	0	00,0	1	100,0
TOTAL	441	55,2	358	44,8	362	52,7	325	47,3
		(799)	(100,0)			(687)	(100,0)	

Equitable representation has been achieved at the Central Office but not in the regions where the English speakers are under-represented. In both the Central Office and the regions the proportions of French-speaking civil servants has increased since 1978. 89% of the English speakers are unilingual which represents a decrease of 1.4% since 1978: there is only one unilingual French-speaking civil servant. The proportion of fluently bilingual French-speaking civil servants has declined from 85.8% in 1978 to 76.7% in 1985 while the proportions of English-speaking and French-speaking functionally bilinguals has increased.

Overall, 50% of the civil servants are bilingual, 44.4% in the Central Office and 50.6% in the regions: 87.6% of the bilinguals are French speakers. In the professional categories, equitable representation has not been achieved: the French speakers are over-represented in 13 instances and the English speakers are likewise in four instances.

Some briefs presented to the Committee were specifically addressed to the services offered by the Universities and the Community Colleges. They revealed areas of concern which were individual to one or other of the two linguistic groups.

The French-speaking presenters argued that the University of Moncton as the sole institution for French-speaking students was under-represented on the Maritime Provinces Higher Education Commis-

sion and that that could affect its development. They asked that the representation be increased. The Commission above represents all of the Universities in the Maritime region and is an institution of the Council of Maritime Premiers.

RECOMMENDATION 43

It is recommended that the Government of New Brunswick ask that the representation on the Maritime Provinces Higher Education Commission be revised to ensure that the representation of the University of Moncton agrees with the principle and objective of equitable representation recommended by this Report.

The French-speaking participants complained on the inadequacy of Vocational course offerings in French and particularly so in the north.

RECOMMENDATION 44

It is recommended that the Department of Advanced Education and Training investigate the complaints on the inadequacy of the vocational curriculum and take all necessary steps to ensure that the students of both linguistic communities have access to programmes and curriculum in their own language within the Community College system.

The English-speaking participants emphasized their concerns for the graduates of the high school system who have acquired competence in their second language and who go on for further education in the colleges or universities. These students found it difficult and often impossible to maintain, far less improve, their language capacity in the higher institutions. As the numbers of such graduates increase this situation cannot be allowed to continue.

RECOMMENDATION 45

It is recommended that the Universities and Colleges be asked to develop necessary courses to permit students to maintain and to improve their second language competency in relation to their academic and professional programmes. These language programmes should be developed co-operatively between the curriculum division of the Department of Education, the Department of Advanced Education and Training, and the other approved provincial institutions of higher education.

Several briefs from the two linguistic groups indicated that adults who wish to participate fully in all aspects of life in a bilingual province also need second language programmes to fulfill their goal.

RECOMMENDATION 46

It is recommended that the government encourage the Community Colleges to continue the development, offering and publicizing of second language programmes for adults appropriate to their aspirations and needs.

It is the opinion of the Committee that the costs of second language training for adults should not be solely the responsibility of government but should be absorbed in part by other interested parties, since the province is officially bilingual and since several presenters requested that second language programmes be made available.

RECOMMENDATION 47

It is recommended that the costs of language courses be assumed in part by the adult student and in part by an employer (present or future) when language is related to the latter's manpower needs, or by governmental or charitable agencies when in support of a desirable social purpose.

Several participants emphasized the particular problem facing the unemployed who wish to attain some language capacity but in so doing risk losing their social benefit payments. Further investigation revealed that such payments are in fact available where the candidate meets the criteria established.

5. Department of Forests, Mines and Energy

This new department comprises the former department of Natural Resources and the Energy Secretariat and with a broad mandate for management of mineral, timber and Crown lands, fish and wildlife and energy resources. This "department also encourages sound management practices of privately owned forest resources to provide maximum benefits both to landowners and society." (8)

TABLE 19

DEPARTMENT OF FORESTS, MINES AND ENERGY
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	492	78,3	369	80,9
French-speaking	136	21,7	87	19,1
TOTAL	628	100,0	456	100,0
		Central Office		
			(Uniden. 9)	
English-speaking	250	94,7	168	93,9
French-speaking	14	05,3	11	06,1
TOTAL	264	100,0	179	100,0
		Regional Offices		
English-speaking	242	66,5	201	72,6
French-speaking	122	33,5	76	27,4
TOTAL	364	100,0	277	100,0

TABLE 20

DEPARTMENT OF FORESTS, MINES AND ENERGY
By Linguistic Community and Place of Work

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	442	70,4	89,8	335	73,5	90,8
Bil (a)	17	02,7	03,5	6	01,3	01,6
Bil (b)	33	05,2	06,7	28	6,1	07,6
Sub-Total	492	78,3	100,0	369	80,9	100,0
French-speaking						
Unil.	4	00,6	02,9	0	00,0	00,0
Bil (a)	120	19,2*	88,2	80	17,6*	92,0
Bil (b)	12	01,9	08,8	7	01,5	08,0
Sub-Total	136	21,7	100,0	87	19,1	100,0
TOTAL	628	100,0		456	100,0	
			Central Office			
English-speaking						
Unil.	230	87,1	92,0	152	84,9	90,5
Bil (a)	4	01,5	01,6	1	00,6	00,6
Bil (b)	16	06,1	06,4	15	08,4	08,9
Sub-Total	250	94,7	100,01	168	93,9	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	14	05,3	100,0	9	05,0	81,8
Bil (b)	0	00,0	00,0	2	01,1	18,2
Sub-Total	14	05,3	100,0	11	06,1	100,0
TOTAL	264	100,0		179	100,0	
			Regional Offices			
English-speaking						
Unil.	212	58,2	87,6	183	66,1	91,0
Bil (a)	13	03,6	05,4	5	01,8	02,5
Bil (b)	17	04,7	07,0	13	04,7	06,5
Sub-Total	242	66,5	100,0	201	72,6	100,0
French-speaking						
Unil.	4	01,1	03,3	0	00,0	00,0
Bil (a)	106	29,1	86,9	71	25,6	93,4
Bil (b)	12	03,3	09,8	5	01,8	06,6
Sub-Total	122	33,5	100,0	76	27,4	100,0
TOTAL	364	100,0		277	100,0	

* = Percentile (.01) adjustment.

TABLE 21

DEPARTMENT OF FOREST, MINES AND ENERGY
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	%	French N	%	March 1982 English N	%	French N	%
Provincial Total								
Senior Exec.	7	100,0	0	00,0	7	100,0	0	00,0
Scient. & Prof.	94	94,0	6	06,0	78	96,3	3	03,7
Adm. Services	18	94,7	1	05,3	19	86,4	3	13,6
Technical	235	74,6	80	25,4	233	77,4	68	22,6
Adm. Support	95	81,9	21	18,1	95	82,6	20	17,4
Operational	40	58,8	28	41,2	45	68,2	21	31,8
Others	3	100,0	0	00,0	3	100,0	0	00,0
TOTAL	492	78,3	136	21,7	480	80,7	115	19,3
		(628)	(100,0)			(595)	(100,0)	
Central Office								
Senior Exec.	7	100,0	0	00,0	7	100,0	0	00,0
Scient. & Prof	72	97,3	2	02,7	47	100,0	0	00,0
Adm. Services	15	100,0	0	00,0	13	100,0	0	00,0
Technical	62	95,4	3	04,6	54	98,2	1	01,8
Adm. Support	68	93,2	5	06,8	61	91,0	6	09,0
Operational	23	85,2	4	14,8	22	95,7	1	04,3
Others	3	100,0	0	00,0	3	100,0	0	00,0
TOTAL	250	94,7	14	5,3	207	96,3	8	3,7
		(264)	(100,0)			(215)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	22	84,6	4	15,4	31	91,2	3	08,8
Adm. Services	3	75,0	1	25,0	6	66,7	3	33,3
Technical	173	69,2	77	30,8	179	72,8	67	27,2
Adm. Support	27	62,8	16	37,2	34	70,8	14	29,2
Operational	17	41,5	24	58,5	23	53,5	20	46,5
Others	0	00,0	0	00,0	0	00,0	0	00,0
TOTAL	242	66,5	122	33,5	273	71,8	107	28,2
		(364)	(100,0)			(380)	(100,0)	

While this Department has reached equitable representation in the regions it has a considerable way to go with regard to the Central Office where only 5.3% are French-speaking and which is a decline from the 1978 position. The unilingual French speakers represent (2.9%) and unilingual English speakers represent (89.8%). The proportion of fluently bilingual civil servants has risen amongst the English speakers (from 1.6% to 3.5%) and has fallen amongst the French speakers (from 92% to 88.2%). The proportion of the functionally bilingual has remained stable in both groups, being 6.7% for the English speakers (7.6% in 1978) and 8.8% for the French speakers (8% in 1978). Overall 29% of the civil servants are bilingual, 12.9% in the Central Office and 40.7% in the regions. The French speakers make up 72.7% of the bilinguals. Equitable representation has not been achieved in any of the professional categories either at the Centre or in the regions: the French are under-represented in all areas other than in the administrative and service levels in the regions in which the English are correspondingly under-represented.

This department did not attract a great deal of comment during the hearings phase and the Committee has no specific recommendation to offer in its regard. However the linguistic profile shows a very limited capacity to serve the French community and particularly so at the Central Office a situation that can be rectified through use of recommendations 10 and 11. Because of the importance of this department to all areas and regions of the province in forestry and mining it is incumbent on the department to adopt the principles and objectives of this Report so as to meet the needs of both linguistic groups.

6. Department of Supply and Services

This Department provides the general administration with internal services including purchasing, printing, data processing and translation services.

TABLE 22

DEPARTMENT OF SUPPLY AND SERVICES
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
Provincial Total				
English-speaking	360	83,1	249	77,8
French-speaking	73	16,9	71	22,2
TOTAL	433	100,0	320	100,0
Central Office				
			(Uniden. 1)	
English-speaking	333	84,7	238	81,2
French-speaking	60	15,3	55	18,8
TOTAL	393	100,0	293	100,0
Regional Offices				
English-speaking	27	67,5	11	40,7
French-speaking	13	32,5	16	59,3
TOTAL	40	100,0	27	100,0

TABLE 23

DEPARTMENT OF SUPPLY AND SERVICES
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	330	76,2	91,7	224	70,0	90,0
Bil (a)	11	02,5	03,1	14	04,4	05,6
Bil (b)	19	04,4	05,3	11	03,4	04,4
Sub-Total	360	83,1	100,0	249	77,8	100,0
French-speaking						
Unil.	2	00,5	02,7	2	00,6	02,8
Bil (a)	63	14,5	86,3	62	19,4	87,3
Bil (b)	8	01,9*	11,0	7	02,2	09,9
Sub-Total	73	16,9	100,0	71	22,2	100,0
TOTAL	433	100,0		320	100,0	
			Central Office			
English-speaking						
Unil.	304	77,4	91,3	216	73,7	90,8
Bil (a)	11	02,8	03,3	14	04,8	05,9
Bil (b)	18	04,5*	05,4	8	02,7	03,4
Sub-Total	333	84,7	100,0	238	81,2	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	52	13,3*	86,7	48	16,4	87,3
Bil (b)	8	02,0	13,3	7	02,4	12,7
Sub-Total	60	15,3	100,0	55	18,8	100,0
TOTAL	393	100,0		293	100,0	
			Regional Offices			
English-speaking						
Unil.	26	65,0	96,3	8	29,6	72,7
Bil (a)	0	00,0	00,0	0	00,0	00,0
Bil (b)	1	02,5	03,7	3	11,1	27,3
Sub-Total	27	67,5	100,0	11	40,7	100,0
French-speaking						
Unil.	2	05,0	15,4	2	07,4	12,5
Bil (a)	11	27,5	84,6	14	51,9	87,5
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	13	32,5	100,0	16	69,3	100,0
TOTAL	40	100,0		27	100,0	

* = Percentile (.01) adjustment.

TABLE 24

DEPARTMENT OF SUPPLY AND SERVICES
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	October 1985 English %	October 1985 French N	October 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	4	100,0	0	00,0	3	75,0	1	25,0
Scient. & Prof.	7	77,8	2	22,2	8	80,0	2	20,0
Adm. Services	113	73,9	40	26,1	99	71,2	40	28,8
Technical	18	81,8	4	18,2	8	66,7	4	33,3
Adm. Support	135	87,0	20	13,0	133	86,9	20	13,1
Operational	79	91,9	7	08,1	62	89,9	7	10,1
Others	4	100,0	0	00,0	1	100,0	0	00,0
TOTAL	360	83,1	73	16,9	314	81,0	74	19,0
		(433)	(100,0)			(388)	(100,0)	
Central Office								
Senior Exec.	4	100,0	0	00,0	3	75,0	1	25,0
Scient. & Prof	7	77,8	2	22,2	8	80,0	2	20,0
Adm. Services	109	74,7	37	25,3	99	73,3	36	26,7
Technical	10	71,4	4	28,6	8	66,7	4	33,3
Adm. Support	131	88,5	17	11,5	131	87,3	19	12,7
Operational	68	100,0	0	00,0	52	98,1	1	01,9
Others	4	100,0	0	00,0	1	100,0	0	00,0
TOTAL	333	84,7	60	15,3	302	82,7	63	17,3
		(393)	(100,0)			(365)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Services	4	57,1	3	42,9	0	00,0	4	00,0
Technical	8	100,0	0	00,0	0	00,0	0	00,0
Adm. Support	4	57,1	3	42,9	2	66,7	1	33,3
Operational	11	61,1	7	38,9	10	62,5	6	37,5
Others	0	00,0	0	00,0	0	00,0	0	00,0
TOTAL	27	67,5	13	32,5	12	52,2	11	47,8
		(40)	(100,0)			(23)	(100,0)	

These tables show that this Department has almost reached equitable representation at the regional level but is far from it at the Central Office where the representation of French-speaking civil servants has decreased since 1978 and is now 15.3%. The proportion of unilingual English-speaking officers is 91.7% which represents an increase of 1.7% since 1978. While the proportions of fluent bilinguals from both groups has declined, that of functional bilinguals has increased. The bilingual civil servants comprise 23.3% overall, with 22.6% in the Central Office and 30% in the regions. The French speakers make up 70% of the bilingual personnel. Equitable representation has not been achieved in any of the professional categories where the French speakers are underrepresented other than in the regions in the two levels of administrative services and that of supply.

The Committee heard some complaints concerning inability of this department to serve citizens in French and in particular to respond to correspondence in French either comprehensibly or on time. Also there were numerous complaints offered with regard to the delays caused by the necessary resort to translation and the attendant costs.

While some argued that the costs of translation are a potent argument for institutional bilingualism many agreed that the need for translation services will continue for the foreseeable future.

a. Translation Services

Because of their special role in the operation of language policy the translation services, in this department, demand particular scrutiny.

The Translation Office was set up in 1967 within this department. It comprises five sections and three service groups. These are:

Sections:
1. English
2. French
3. Hansard
4. Interpretation
5. Royal Gazette and

Services:
1. Terminology
2. Clerical Support
3. Administration.

In addition, in 1980, a group of legal translators was assembled within the Department of Justice and another group was set up in 1984 to cope with the debates in the House.

The production of this division reveals an increase of approximately ten per cent per year. The translation of official correspondence commands about eleven point five per cent of the work with official documentation making up the balance of eighty eight point five per cent. The almost doubling of output up to 1984 has been achieved without any additions to the complement and which is to be explained in terms of the usage of computers and word processors and increasing competency.

The overwhelming majority (80%) of all translation is from English to French. If correspondence constitutes eleven point five per cent of the yearly output then if the overall production is around ten million words then some two million words are processed under the headings of "Justice" and the "Debates of the House." It is anticipated that the operations of the centralized Translation Bureau will diminish as each department develops internal translation capacity which development will reduce delays.

In practice it may be that documents will be filed in one language only so to avoid the necessity that the bilingual officer, of either mother tongue, translate his or her documents into the "other" language for which task he is not equipped. In other words, this Committee recognizes that there is a fundamental difference between the official competence of the particular officer and the technical skill of translation of documents from one language to the other. The Committee further recognizes that the civil servants should not be expected to act as informal translators beyond the everyday receipt of documents in the "other" official language.

The Committee received a brief from a group of professional translators who gave their opinion that realistically the government will always require translation in some degree.

RECOMMENDATION 48

It is recommended that the Translation Bureau remain a central service for the production of significant documents in both official languages and that the Bureau develop its capacity to deliver simultaneous and consecutive translation and translation of major documents from one official language to the other.

To ensure continuing quality of translation services the career advancement of these civil servants should be carefully considered. Translators will acquire the specialize terminology associated with certain fields (such as health, agriculture and the like) which could be recognized in regard to their promotions through the career ranks.

RECOMMENDATION 49

It is recommended that translators or other civil servants skilled in languages be assigned as on-site support to departments, based on their need for translation of correspondence, internal documentation and reference materials.

Some civil servants are presently assigned to such duties as correspondence evaluators and linguistic coordinators on an experimental basis, and with positive results.

RECOMMENDATION 50

It is recommended that translators act on site as co-writers and linguistic assistants to ensure the quality of documents produced in both official languages.

7. Department of Tourism, Recreation and Heritage.

This new department is responsible for most of the functions previously assigned to the departments of Tourism, Historical and Cultural Resources and Youth and Recreation. Despite that recent change, for ease of presentation the former divisions will be retained.

a. Tourism

Tourism has the potential for enhancing the bilingual nature of the province. There is no doubt that a legally bilingual jurisdiction must prove attractive to tourists not only from Canada and the United States but also from other parts of the globe. That potential remains largely untapped at this time. The adoption of a more imaginative approach to the marketing of a bilingual New Brunswick and its diverse linguistic makeup would help to convince our citizens of the economic advantages of bilingualism.

At this time it may be that not all segments of our tourist industry can offer full language services but all should be encouraged to make the effort to exhibit courtesy and concern for visitors with regard to language. This Department should provide assistance to those in the industry through the issuing of language guides and the like to ensure that essential courtesy. This Department should also act more aggressively in the area of signage appropriate to the linguistic regions to further our attraction for tourists. This is particularly true of our tourist bureau which form the primary contact between the tourist and our province. A vibrant tourist industry will unquestionably improve the climate of understanding between the two official linguistic communities in New Brunswick by sharing innovative ideas developed by each group.

TABLE 25

DEPARTMENT OF TOURISM
By Linguistic Community and Place of Work

	Aug. 1985 N.	Aug. 1985 %	October 1978 N.	October 1978 %
		Provincial Total		
English-speaking	130	75,1	102	84,3
French-speaking	43	24,9	19	15,7
TOTAL	173	100,0	121 (Uniden. 3)	100,0
		Central Office		
English-speaking	74	81,3	75	90,4
French-speaking	17	18,7	8	9,6
TOTAL	91	100,0	83	100,0
		Regional Office		
English-speaking	56	68,3	27	71,1
French-speaking	26	31,7	11	28,9
TOTAL	82	100,0	38	100,0

TABLE 26

DEPARTMENT OF TOURISM
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	113	65,3	86,9	90	74,3*	88,2
Bil (a)	5	02,9	03,9	6	05,0	05,9
Bil (b)	12	06,9	09,2	6	05,0	05,9
Sub-Total	130	75,1	100,0	102	84,3	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	38	22,0	88,4	19	15,7	100,0
Bil (b)	5	02,9	11,6	0	00,0	00,0
Sub-Total	43	24,9	100,0	19	15,7	100,0
TOTAL	173	100,0		121	100,0	
			Central Office			
English-speaking						
Unil.	61	67,0	82,4	67	80,7	89,3
Bil (a)	4	04,4	05,4	5	06,0	06,7
Bil (b)	9	09,9	12,2	3	03,7*	04,0
Sub-Total	74	81,3	100,0	75	90,4	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	17	18,7	100,0	8	09,6	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	17	18,7	100,0	8	09,6	100,0
TOTAL	91	100,0		83	100,0	
			Regional Offices			
English-speaking						
Unil.	52	63,4	92,9	23	60,6*	85,2
Bil (a)	1	01,2	01,8	1	02,6	03,7
Bil (b)	3	03,7	05,4	3	07,9	11,1
Sub-Total	56	68,3	100,0	27	71,1	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	21	25,6	80,8	11	28,9	100,0
Bil (b)	5	6,1	19,2	0	00,0	00,0
Sub-Total	26	31,7		11	28,9	
TOTAL	82	100,0		38	100,0	

* = Percentile (.01) adjustment.

TABLE 27

DEPARTMENT OF TOURISM
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	October 1985 English %	October 1985 French N	October 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	3	75,0	1	25,0	5	100,0	0	00,0
Scient. & Prof.	13	92,9	1	07,1	14	100,0	0	00,0
Adm. Services	25	83,3	5	16,7	31	88,6	4	11,4
Technical	27	71,1	11	28,9	26	68,4	12	31,6
Adm. Support	29	74,4	10	25,6	29	78,4	8	21,6
Operational	32	72,7	12	27,3	33	70,2	14	29,8
Others	1	25,0	3	75,0	3	00,3	1	99,7
TOTAL	130	75,1	43	24,9	141	78,3	39	21,7
		(173)	(100,0)			(180)	(100,0)	
Central Office								
Senior Exec.	3	75,0	1	25,0	5	100,0	0	00,0
Scient. & Prof	13	92,9	1	07,1	14	100,0	0	00,0
Adm. Services.	23	85,2	4	14,8	26	89,7	3	10,3
Technical	10	83,3	2	16,7	10	83,3	2	16,7
Adm. Support	21	80,8	5	19,2	20	80,0	5	20,0
Operational	3	75,0	1	25,0	2	66,7	1	33,3
Others	1	25,0	3	75,0	0	00,0	0	00,0
TOTAL	74	81,3	17	18,7	77	87,5	11	12,5
		(91)	(100,0)			(88)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Services	2	66,7	1	33,3	5	83,3	1	16,7
Technical	17	65,4	9	34,6	16	61,5	10	38,5
Adm. Support	8	61,5	5	38,5	9	75,0	3	25,0
Operational	9	72,5	11	27,5	31	70,5	13	29,5
Others	0	00,0	0	00,0	3	00,0	1	100,0
TOTAL	56	68,3	26	31,7	61	68,6	28	30,4
		(82)	(100,0)			(92)	(100,0)	

The profile shows that this Department is approaching equitable representation in the regions but not at the Central Office although significant progress has been made since 1978. The unilingual English-speakers have decreased proportionally (-6.9%) at the Central Office (to 82.4%) and have increased (+7.7%) in the regions (to 92.9%). There are no unilingual French speakers. The numbers of fluent bilinguals have decreased in both groups (except in the Central Office where all of the French speakers are fluent) while the numbers of functional bilinguals is increasing (other than in the regions where the proportions of English-speaking functional bilinguals has fallen). 34.7% of the civil servants overall are bilingual, 33% in the Central Office and 36.6% in the regions: the French speakers make up 71.7% of the bilinguals. Equitable representation has only been achieved, in the regions, in the technical and administrative service categories.

During the hearings it was stated the Tourist Information Bureau should reflect the bilingual nature of the province. Some complained about the lack of adequate bilingual services at Sugar Loaf Park, Campbellton.

The recommendations below stem from a belief that there are a number of ways in which tourism can contribute to better relations between the two communities.

RECOMMENDATION 51

It is recommended that the Department encourage;

1) tour operators to offer inter-regional tours of the province and thus expose New Brunswickers of both groups to each other's language and culture reflected in the various festivals in the linguistic regions;

2) the concept of travel and language enhancement through the extension of the "farm vacation" and "bed & breakfast" accommodations;

3) the twinning of towns and villages between the two official linguistic groups to facilitate understanding;

4) tourist operators and the hospitality industry to offer service in both official languages. The Department should to this end develop a logo for the purpose of advertising the availability of services in both languages;

5) the private sector to follow the example of the Department in providing tourist information in both official languages;

And particularly the Department should ensure that:

6) the tourist bureaux and all provincial tourist attractions reflect fully the linguistic reality of New Brunswick.

b. Recreation (including Sport)

The people of New Brunswick share a common heritage in the beaches, forests and waters which produce a diverse milieu for sport and recreation. The organization of sport and recreation not only involves various levels of government but also incorporates structured governing bodies, a large number of individuals and private business. The differing nature of the parties involved makes recommendations difficult to achieve.

TABLE 28

DEPARTMENT OF YOUTH AND RECREATION
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	30	53,6	51	77,3
French-speaking	26	46,4	15	22,7
TOTAL	56	100,0	66	100,0
		Central Office		
			(Uniden. 18)	
English-speaking	26	61,9	42	77,8
French-speaking	16	38,1	12	22,2
TOTAL	42	100,0	54	100,0
		Regional Offices		
English-speaking	4	28,6	9	75,0
French-speaking	10	71,4	3	25,0
TOTAL	14	100,0	12	100,0

TABLE 29

DEPARTMENT OF YOUTH AND RECREATION
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	26	46,4	86,7	46	69,7	90,2
Bil (a)	2	03,6	06,7	1	01,5	02,0
Bil (b)	2	03,6	06,7	4	06,1	07,8
Sub-Total	30	53,6	100,0	51	77,3	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	26	46,4	100,0	11	16,6*	73,3
Bil (b)	0	00,0	00,0	4	06,1	26,7
Sub-Total	26	46,4	100,0	15	22,7	100,0
TOTAL	56	100,0		66	100,0	
			Central Office			
English-speaking						
Unil.	22	52,3*	84,6	37	68,5	88,1
Bil (a)	2	04,8	07,7	1	01,9	02,4
Bil (b)	2	04,8	07,7	4	07,4	09,5
Sub-Total	26	61,9	100,0	42	77,8	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	16	38,1	100,0	8	14,8	66,7
Bil (b)	0	00,0	00,0	4	07,4	33,3
Sub-Total	16	38,1	100,0	12	22,2	100,0
TOTAL	42	100,0		54	100,0	
			Regional Offices			
English-speaking						
Unil.	4	28,6	100,0	9	75,0	100,0
Bil (a)	0	00,0	00,0	0	00,0	00,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	4	28,6	100,0	9	75,0	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	10	71,4	100,0	3	25,0	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	10	71,4	100,0	3	25,0	100,0
TOTAL	14	100,0		12	100,0	

* = Percentile (.01) adjustment.

TABLE 30

DEPARTMENT OF YOUTH AND RECREATION
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	%	French N	%	March 1982 English N	%	French N	%
Provincial Total								
Senior Exec.	1	100,0	0	00,0	0	00,0	1	100,0
Scient. & Prof.	12	48,0	13	52,0	19	52,8	17	47,2
Adm. Services	6	75,0	2	25,0	7	63,6	4	36,4
Technical	0	00,0	0	00,0	6	85,7	1	14,3
Adm. Support	11	52,4	10	47,6	22	71,0	9	29,0
Operational	0	00,0	0	00,0	2	100,0	0	00,0
Others	0	00,0	1	100,0	0	00,0	4	100,0
TOTAL	30	53,6	26	46,4	56	60,9	36	39,1
		(56)	(100,0)			(92)	(100,0)	
Central Office								
Senior Exec.	1	100,0	0	00,0	0	00,0	1	100,0
Scient. & Prof	9	60,0	6	40,0	14	66,7	7	33,3
Adm. Services	6	75,0	2	25,0	7	70,0	3	30,0
Technical	0	00,0	0	00,0	6	85,7	1	14,3
Adm. Support	10	58,8	7	41,2	22	78,6	6	21,4
Operational	0	00,0	0	00,0	1	100,0	0	00,0
Others	0	00,0	1	100,0	0	00,0	4	100,0
TOTAL	26	61,9	16	38,1	50	69,4	22	30,6
		(42)	(100,0)			(72)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	3	30,0	7	70,0	5	33,3	10	66,7
Adm. Services	0	00,0	0	00,0	0	00,0	1	100,0
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	1	25,0	3	75,0	0	00,0	3	100,0
Operational	0	00,0	0	00,0	1	100,0	0	00,0
Others	0	00,0	0	00,0	0	00,0	0	00,0
TOTAL	4	28,6	10	71,4	6	30,0	14	70,0
		(14)	(100,0)			(20)	(100,0)	

These tables reveal that equitable representation has not been achieved by this Department since the French speakers are over-represented, both in the Central Office and in the regions, in comparison to their proportion in the general population. There are no unilingual French speakers while 86.7% of the English speakers are unilingual which figure represents a decrease of 3.5% since 1978. The proportions of fluent bilinguals from both groups are greater than the proportions of functional bilinguals. The bilingual civil servants of this Department comprise 53.6% overall, 47.7% in the Central Office and 71.4% in the regions; 86.7% of the bilinguals are French-speaking. Equitable representation has not been achieved in any of the professional categories.

The area of Sport was the subject of an earlier Report, the Study Committee on Amateur Sport of 1980, and despite the passage of time its unimplemented recommendations merit reconsideration today.

Most aspects of sport and recreation depend heavily on volunteer activity consequently government involvement is best directed toward the support of the many organizations promoting recreational activities. At present that support derives from several different departments - among these are, Education, Municipal Affairs and the Environment, Forest, Mines and Energy, Youth, Recreation and Heritage. The last named bears responsibility for four major

areas - administration, competition, programmes and general aspects. Whatever the nature of departmental involvement in this area it is essential that the programmes incorporate the drive, interest and enthusiasm of both individuals and groups in the two official language communities. It is true that there is a different emphasis on sports between the two communities, however the needs for support and services are common to both and outweigh perceived differences in emphasis.

RECOMMENDATION 52

It is recommended that the two linguistic groups receive from the government and its agencies equitable treatment in terms of services and support for sports and recreational activities.

RECOMMENDATION 53

It is recommended that the government actively encourage the involvement of volunteers, individuals and groups, from both linguistic communities in the governance of sports and recreational activities.

RECOMMENDATION 54

It is recommended that the Department support those organizations and groups in sport and recreation in considering the possibility of developing regional and provincial structures based on their linguistic makeup so as to encourage wider participation of both communities in such activities and thus develop links between them.

RECOMMENDATION 55

It is recommended that the un-implemented recommendations of the Study Committee on Amateur Sport be reviewed and implemented in so far as they accord with the spirit and tenor of the recommendations of this report.

c. Cultural Resources

TABLE 31

DEPARTMENT OF HISTORICAL AND CULTURAL RESOURCES
(Historical Resources Administration)
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	63	52,1	45	60,0
French-speaking	58	47,9	30	40,0
TOTAL	121	100,0	75 (Uniden. 3)	100,0
		Central Office		
English-speaking	59	70,2	45	90,0
French-speaking	25	29,8	5	10,0
TOTAL	84	100,0	50	100,0
		Regional Offices		
English-speaking	4	10,8	0	0,0
French-speaking	33	89,2	25	100,0
TOTAL	37	100,0	25	100,0

TABLE 32

DEPARTMENT OF HISTORICAL AND CULTURAL RESOURCES
(Historical Resources Administration
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	
Provincial Total						
English-speaking						
Unil.	50	41,3	79,4	38	50,7	84,4
Bil (a)	4	03,3	06,3	4	05,3	08,9
Bil (b)	9	07,5	14,2	3	04,0	06,6
Sub-Total	63	52,1	100,0	45	60,0	100,0
French-speaking						
Unil.	3	02,5	05,2	6	08,0	20,0
Bil (a)	38	31,4	65,5	15	20,0	50,0
Bil (b)	17	14,0	29,3	9	12,0	30,0
Sub-Total	58	47,9	100,0	30	40,0	100,0
TOTAL	121	100,0		75	100,0	
Central Office						
English-speaking						
Unil.	46	54,8	78,0	38	76,0	84,4
Bil (a)	4	04,8	06,8	4	08,0	08,9
Bil (b)	9	10,6	15,3	3	06,0	06,7
Sub-Total	59	70,2	100,0	45	90,0	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	22	26,3	88,0	4	08,0	80,0
Bil (b)	3	03,5	12,0	1	02,0	20,0
Sub-Total	25	29,8	100,0	5	10,0	100,0
TOTAL	84	100,0		50	100,0	
Regional Offices						
English-speaking						
Unil.	4	10,8	100,0	0	00,0	00,0
Bil (a)	0	00,0	00,0	0	00,0	00,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	4	10,8	100,0	0	00,0	00,0
French-speaking						
Unil.	3	08,1	09,1	6	24,0	24,0
Bil (a)	16	43,2	48,5	11	44,0	44,0
Bil (b)	14	37,9	42,4	8	32,0	32,0
Sub-Total	33	89,2	100,0	25	100,0	100,0
TOTAL	37	100,0		25	100,0	

TABLE 33

DEPARTMENT OF HISTORICAL AND CULTURAL RESOURCES
(Historical Resources Administration
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	1	100,0	0	00,0	1	50,0	1	50,0
Scient. & Prof.	30	61,2	19	38,8	29	67,4	14	32,6
Adm. Services	6	50,0	6	50,0	6	50,0	6	50,0
Technical	1	50,0	1	50,0	3	75,0	1	25,0
Adm. Support	18	52,9	16	47,1	15	60,0	10	40,0
Operational	6	31,6	13	68,4	6	30,0	14	70,0
Others	1	25,0	3	75,0	0	00,0	3	100,0
TOTAL	63	52,1	58	47,9	60	55,0	49	45,0
		(121)	(100,0)			(109)	(100,0)	
Central Office								
Senior Exec.	1	100,0	0	00,0	2	100,0	0	00,0
Scient. & Prof	29	76,3	9	23,7	24	88,9	3	11,1
Adm. Services	6	66,7	3	33,3	4	100,0	0	00,0
Technical	1	100,0	0	00,0	1	100,0	0	00,0
Adm. Support	17	63,0	10	37,0	9	56,3	7	43,7
Operational	4	100,0	0	00,0	3	100,0	0	00,0
Others	1	25,0	3	75,0	0	00,0	0	00,0
TOTAL	59	70,2	25	29,8	43	81,1	10	18,9
		(84)	(100,0)			(53)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	1	09,1	10	90,9	5	31,3	11	68,7
Adm. Services	0	00,0	3	100,0	2	25,0	6	75,0
Technical	0	00,0	1	100,0	2	66,7	1	33,3
Adm. Support	1	14,3	6	85,7	6	66,7	3	33,3
Operational	2	13,3	13	86,7	3	17,6	14	82,4
Others	0	00,0	0	00,0	0	00,0	3	100,0
TOTAL	4	10,8	33	89,2	18	32,1	38	67,9
		(37)	(100,0)			(56)	(100,0)	

Not only because of the close link between language and culture but also because of the involvement in cultural matters of three levels of government - federal, provincial and municipal - the Committee believes it necessary to respond to some particular widely held perceptions in both communities and to make some recommendations.

This Department has not achieved equitable representation either in the Central Office, where the English speakers are slightly over-represented, nor in the regions where the French speakers are markedly over-represented. There has been a decrease in the numbers of unilinguals in both groups so that 79.4% of the English speakers and 5.2% of the French speakers are unilingual. The fluent bilinguals are proportionally more numerous amongst the French speakers than amongst the English speakers while the proportions of functional bilinguals have increased in the English-speaking group while decreasing in the French speakers group. The bilingual civil servants in this Department comprise 56.2% overall with 45.2% of the Central Office and 81.1% of the regional civil servants; the French-speaking make up 80.9% of the bilinguals. Lastly, equitable representation has not been reached in the professional categories other than in administrative services at the Central Office.

The setting up of community schools for the French minorities in the areas of Fredericton, Saint. John and Newcastle has caused some to see those schools as

cultural centres. It is important to appreciate those schools for what they are in fact - schools whose facilities are available to the local community. In other parts of the province community centres have been set up to meet the needs of the people.

There are other kinds of community centres whose primary purpose is to support the cultural life of a particular community through its artists and writers to meet specific needs. A number of communities have in existence, or have proposed the establishing, of such centres. Indeed the government should be encouraged to give its support to such initiatives.

Cultural activities in the province are important so that government participation therein should be carried out in a clear, fair manner and according to objective criteria. During the hearings the Committee heard some misunderstandings on cultural issues from some presenters as well as feelings of discrimination, on the part of others, with regard to the granting or denying of funds for cultural initiatives.

Lastly, the unavailability of national radio and television signals was brought up by participants throughout the province who believed that such service was essential and should be available to everyone. Further, as New Brunswick is the only officially bilingual province in the country there is that additional justification for ensuring the availability of English and French transmission services throughout the province. Moreover the guaranteeing to a minority of service in their language presupposes a second language capacity on the part of the majority who in turn must be provided with the means to both maintain and to improve their linguistic capacity.

RECOMMENDATION 56

It is recommended:

1) *that a clear provincial policy be developed to support cultural growth which takes into account the interests and desires of the official minorities in the regions and which incorporates detailed criteria and that the policy, its criteria and procedures be publicized throughout the province;*

2) *that a formula be developed following objective criteria, to ensure equality with regard to fiscal support for infrastructures in the cultural field.*

3) *that the reception of CBC radio and television in both languages be made available throughout the province and the Government of New Brunswick continue to pressure the Canadian Radio-television and Telecommunications Commission in this regard.*

4) *that the provincial government insist that the Canadian Radio-television and Telecommunications Commission in the issuing of licenses to cable distributors in New Brunswick require that both English and French CBC television signals be included in the basic package.*

8. Department of Municipal Affairs and the Environment

This new Department enjoys wide powers in relation to such as land and water resource management through its services to the municipalities and its involvement in environmental issues, such as pollution and so is responsible for matters directly affecting each and every citizen of both linguistic groups.

This new Department resulted from combining two former departments hence the profile of both the departments of Municipal Affairs and Environment are listed.

TABLE 34

DEPARTMENT OF MUNICIPAL AFFAIRS
By Linguistic Community and Place of Work

	August 1985 N.	August 1985 %	October 1978 N.	October 1978 %
		Provincial Total		
English-speaking	171	66,5	200	73,5
French-speaking	86	33,5	72	26,5
TOTAL	257	100,0	272 (Uniden. 4)	100,0
		Central Office		
English-speaking	49	74,2	85	93,4
French-speaking	17	25,8	6	06,6
TOTAL	66	100,0	91	100,0
		Regional Offices		
English-speaking	122	63,9	115	63,5
French-speaking	69	36,1	66	36,5
TOTAL	191	100,0	181	100,0

TABLE 35

DEPARTMENT OF MUNICIPAL AFFAIRS
By Linguistic Community, Place of Work and Language Group

	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	151	58,7	88,3	176	64,7	88,0
Bil (a)	4	01,6	02,3	4	01,5	02,0
Bil (b)	16	06,2	9,4	20	07,3	10,0
Sub-Total	171	66,5	100,0	200	73,5	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	83	32,3	96,5	71	26,1	98,6
Bil (b)	3	01,2	03,5	1	00,4	01,4
Sub-Total	86	33,5	100,0	72	26,5	100,0
TOTAL	257	100,0		272	100,0	
			Central Office			
English-speaking						
Unil.	40	60,6	81,6	74	81,3	87,1
Bil (a)	2	03,0	04,1	1	01,1	01,2
Bil (b)	7	10,6	14,3	10	11,0	11,8
Sub-Total	49	74,2	100,0	85	93,4	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	16	24,3	94,1	6	06,6	100,0
Bil (b)	1	01,5	05,9	0	00,0	00,0
Sub-Total	17	25,8	100,0	6	06,6	100,0
TOTAL	66	100,0		91	100,0	
			Regional Offices			
English-speaking						
Unil.	111	58,1	91,0	102	56,4	88,7
Bil (a)	2	01,1	01,6	3	01,6	02,6
Bil (b)	9	04,7	07,4	10	05,5	08,7
Sub-Total	122	63,9	100,0	115	63,5	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	67	35,1	97,1	65	35,9	98,5
Bil (b)	2	01,0	02,9	1	00,6	01,5
Sub-Total	69	36,1	100,0	66	36,5	100,0
TOTAL	191	100,0		181	100,0	

TABLE 36

DEPARTMENT OF MUNICIPAL AFFAIRS
By Linguistic Community, Professional Category and Place Work

Category	October 1985 English N	English %	French N	French %	March 1982 English N	English %	French N	French %
Provincial Total								
Senior Exec.	4	80,0	1	20,0	4	100,0	0	00,0
Scient. & Prof.	5	62,5	3	37,5	8	80,0	2	20,0
Adm. Services	15	62,5	9	37,5	24	85,7	4	14,3
Technical	94	68,1	44	31,9	99	71,2	40	28,8
Adm. Support	47	66,2	24	33,8	54	73,0	20	27,0
Operational	2	50,0	2	50,0	1	33,3	2	66,7
Others	4	57,1	3	42,9	1	50,0	1	50,0
TOTAL	171	66,5	86	33,5	191	73,5	69	26,5
		(257)	(100,0)			(260)	(100,0)	
Central Office								
Senior Exec.	4	80,0	1	20,0	4	100,0	0	00,0
Scient. & Prof	5	62,5	3	37,5	7	77,8	2	22,2
Adm. Services	10	71,4	4	28,6	17	85,0	3	15,0
Technical	12	92,3	1	07,7	29	96,7	1	03,3
Adm. Support	15	75,0	5	25,0	24	92,3	2	07,7
Operational	1	100,0	0	00,0	1	100,0	0	00,0
Others	2	40,0	3	60,0	0	00,0	0	00,0
TOTAL	49	74,2	17	25,8	82	91,1	8	08,9
		(66)	(100,0)			(90)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	0	00,0	0	00,0	1	100,0	0	00,0
Adm. Services	5	50,0	5	50,0	7	87,5	1	12,5
Technical	82	65,6	43	34,4	70	64,2	39	35,8
Adm. Support	32	62,7	19	37,3	30	62,5	18	37,5
Operational	1	33,3	2	66,7	0	00,0	2	100,0
Others	2	100,0	0	00,0	1	50,0	1	50,0
TOTAL	122	63,9	69	36,1	109	64,1	61	35,9
		(191)	(100,0)			(170)	(100,0)	

This Department has reached the goal of equitable representation in overall terms albeit the French speakers are under-represented in the Central Office and English speakers are under-represented in the regions. The proportion of unilingual English-speaking civil servants has remained unchanged at 88.3% while there are no unilingual French-speaking personnel. 96.5% of the French speakers are fluently bilingual (a slight decrease from 1978) as are 2.5% of the English-speaking (which represents a slight increase). The proportion of the functionally bilingual English speakers has decreased marginally since 1978 (from 10% then to 9.4% today), while the proportion of French-speaking functional bilinguals have increased (1.4% to 3.5%). Equitable representation has been achieved at the technical level in the regions: elsewhere, the French speakers are under-represented in two of the categories in the Central Office and in three categories in the regions. The English speakers are under-represented in five categories in the Central Office and in one category in the regions.

TABLE 37

DEPARTMENT OF ENVIRONMENT
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
Provincial Total				
English-speaking	70	83,3	57	82,6
French-speaking	14	16,7	12	17,4
TOTAL	84	100,0	69 (Uniden. 2)	100,0
Central Office				
English-speaking	66	88,0	52	85,2
French-speaking	2	12,0	9	14,8
TOTAL	75	100,0	61	100,0
Regional Offices				
English-speaking	4	44,4	5	62,5
French-speaking	5	55,6	3	37,5
TOTAL	9	100,0	8	100,0

TABLE 38

DEPARTMENT OF ENVIRONMENT
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	53	63,1	75,7	45	65,2	78,9
Bil (a)	4	04,8	05,7	6	08,7	10,5
Bil (b)	13	15,4	18,6	6	08,7	10,5
Sub-Total	70	83,3	100,0	57	82,6	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	14	16,7	100,0	12	17,4	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	14	16,7	100,0	12	17,4	100,0
TOTAL	84	100,0		69	100,0	
			Central Office			
English-speaking						
Unil.	49	65,3	74,2	40	65,6	76,9
Bil (a)	4	05,3	06,1	6	09,8	11,5
Bil (b)	13	17,4	19,7	6	09,8	11,5
Sub-Total	66	88,0	100,0	52	85,2	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	9	12,0	100,0	9	14,8	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	9	12,0	100,0	9	14,8	100,0
TOTAL	75	100,0		61	100,0	
			Regional Offices			
English-speaking						
Unil.	4	44,4	100,0	5	62,5	100,0
Bil (a)	0	00,0	00,0	0	00,0	00,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	4	44,4	100,0	5	62,5	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	5	55,6	100,0	3	37,5	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	5	55,6	100,0	3	37,5	100,0
TOTAL	9	100,0		8	100,0	

TABLE 39

DEPARTMENT OF ENVIRONMENT
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	3	100,0	0	00,0	2	100,0	0	00,0
Scient. & Prof.	28	87,5	4	12,5	28	96,6	1	03,4
Adm. Services	5	100,0	0	00,0	5	83,3	1	16,7
Technical	21	77,8	6	22,2	23	74,2	8	25,8
Adm. Support	10	71,4	4	28,6	9	64,3	5	35,7
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	3	100,0	0	00,0	4	100,0	0	00,0
TOTAL	70	83,3	14	16,7	71	82,6	15	17,4
		(84)	(100,0)			(86)	(100,0)	
Central Office								
Senior Exec.	3	100,0	0	00,0	2	100,0	0	00,0
Scient. & Prof	28	87,5	4	12,5	28	96,6	1	03,4
Adm. Services	5	100,0	0	00,0	5	83,3	1	16,7
Technical	20	90,9	2	09,1	21	84,0	4	16,0
Adm. Support	8	72,7	3	27,3	7	63,6	4	36,4
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	2	100,0	0	00,0	4	100,0	0	00,0
TOTAL	66	88,0	9	12,0	67	87,0	10	13,0
		(75)	(100,0)			(77)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Services	0	00,0	0	00,0	0	00,0	0	00,0
Technical	1	20,0	4	80,0	2	33,3	4	66,7
Adm. Support	2	66,7	1	33,3	2	66,7	1	33,3
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	1	100,0	0	00,0	0	00,0	0	00,0
TOTAL	4	44,4	5	55,6	4	44,4	5	55,6
		(9)	(100,0)			9)	(100,0)	

This Department has not yet reached equitable representation either at the Central Office or in the regions. While there are no unilingual French-speaking personnel, 75.7% of the English speakers are unilingual (a decrease of 3.25% since 1978). The fluent bilinguals comprise 5.7% of the English speakers (a decrease of 4.8%) and 100% of the French-speaking civil servants. The proportions of functional bilinguals is increasing amongst the English speakers and now represents 18.6%. The Department is 36.9% bilingual overall, with 34.7% at the central Office and 55.6% in the regions: the French speakers make up 45.2% of the bilinguals. Equitable representation has not been achieved at any level in the regions.

During the hearing phase the Committee heard a number of complaints from the French-speaking municipalities as to the quality and quantity of services delivered in French by the Central Office of this department. While there is recognition of some recent improvement there remains a clear incapacity to cope in French in matters of correspondence, telephone communications and in the provision of services generally. The presenters speaking on behalf of the French-speaking municipalities made it clear that in matters of urgency they had no choice but to use their second language and accept the consequences of that disadvantage.

RECOMMENDATION 57

It is recommended that the Department of Municipal Affairs and Environment follow the principles and objectives of this Report and restructure its Central Office so as to ensure services of quality in the language or languages

of each municipality in accordance with recommendation 76.

9. Department of Finance and related Agencies

The Department of Finance is responsible for the governments treasury and debt management, taxation and fiscal policy, and tax administration. The Office of the Comptroller coordinates the central processing and accounting activities for all of the province's financial transactions. The Board of Management is responsible for the government's budget, management system development, human resources administration including labour relations and productivity improvement.

a. Department of Finance

TABLE 40

DEPARTMENT OF FINANCE
By Linguistic Community and Place of Work

	August 1985		October 1978	
	Provincial Total			
	N.	%	N.	%
English-speaking	182	75,5	112	95,7
French-speaking	59	24,5	5	04,3
TOTAL	241	100,0	117	100,0
	Central Office			
English-speaking	102	93,6	111	95,7
French-speaking	7	06,4	5	04,3
TOTAL	109	100,0	116	100,0
	Regional Offices			
English-speaking	80	60,6	1	100,0
French-speaking	52	39,4	0	00,0
TOTAL	132	100,0	1	100,0

TABLE 41

DEPARTMENT OF FINANCE
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	167	69,3	91,8	105	89,7	93,8
Bil (a)	8	03,3	04,4	0	00,0	00,0
Bil (b)	7	02,9	03,8	7	06,0	06,2
Sub-Total	182	75,5	100,0	112	95,7	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	56	23,3	94,9	5	04,3	100,0
Bil (b)	3	01,2	05,1	0	00,0	00,0
Sub-Total	59	24,5	100,0	5	04,3	100,0
TOTAL	241	100,0		117	100,0	
			Central Office			
English-speaking						
Unil.	94	86,2	92,2	104	89,7	93,7
Bil (a)	4	03,7	03,9	0	00,0	00,0
Bil (b)	4	03,7	03,9	7	06,0	06,3
Sub-Total	102	92,6	100,0	111	95,7	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	7	06,4	100,0	5	04,3	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	7	06,4	100,0	5	04,3	100,0
TOTAL	109	100,0		116	100,0	
			Regional Offices			
English-speaking						
Unil.	73	55,3	91,3	1	100,0	100,0
Bil (a)	4	03,0	05,0	0	00,0	00,0
Bil (b)	3	02,3	03,8	0	00,0	00,0
Sub-Total	80	60,6	100,0	1	100,0	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	49	37,1	94,2	0	00,0	00,0
Bil (b)	3	02,3	05,8	0	00,0	00,0
Sub-Total	52	39,4	100,0	0	00,0	00,0
TOTAL	132	100,0		1	100,0	

TABLE 42

DEPARTMENT OF FINANCE
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	6	100,0	0	00,0	11	91,7	1	08,3
Scient. & Prof.	8	100,0	0	00,0	14	100,0	0	00,0
Adm. Services	49	66,2	25	33,8	83	78,3	23	21,7
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	115	77,2	34	22,8	197	83,1	40	16,9
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	4	100,0	0	00,0	1	100,0	0	00,0
TOTAL	182	75,5	59	24,5	306	82,7	64	17,1
		(241)	(100,0)			(370)	(100,0)	
Central Office								
Senior Exec.	6	100,0	0	00,0	11	91,7	1	08,3
Scient. & Prof	7	100,0	0	00,0	16	100,0	0	00,0
Adm. Services	21	100,0	0	00,0	52	92,9	4	07,1
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	64	90,1	7	09,9	135	93,1	10	06,9
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	4	100,0	0	00,0	3	100,0	0	00,0
TOTAL	102	93,6	7	06,4	217	93,5	15	06,5
		(109)	(100,0)			(232)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	1	100,0	0	00,0	0	00,0	0	00,0
Adm. Services	28	52,8	25	47,2	31	62,0	19	38,0
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	51	65,4	27	34,6	62	67,4	30	32,6
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	0	00,0	0	00,0	0	00,0	0	00,0
TOTAL	80	60,6	52	39,4	93	65,4	49	34,5
		(132)	(100,0)			(142)	(100,0)	

This Department has not achieved equitable representation either in the Central Office or in the regions. The English-speaking civil servants remain predominantly unilingual (91.8% - a decrease of 2% since 1978), while there are no unilingual French-speaking personnel. The numbers of fluent bilinguals has increased by 4.9% overall, with a 4.4% increase amongst the English speakers but a 5.1% decline amongst the French speakers (to 94.9%). On the other hand the numbers of functional bilinguals has declined by 2.4% overall (3.8% amongst the English speakers) albeit an increase of 5.1% amongst the French speakers.

1. Changes noted.

Overall 30.7% of the civil servants are bilingual, 13.7% at the Central Office and 44.7% in the regions: the French speakers constitute 79.7% of the bilinguals. Equitable representation has not been reached in the professional categories other than in administrative services and in administrative support in the regions. The French speakers are under-represented in the other categories with the exception of administrative services and support services in the regions.

b. Board of Management (Treasury Board)[1]

TABLE 43

BOARD OF MANAGEMENT (Treasury Board)
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
	Provincial Total			
English-speaking	76	83,5	47	79,7
French-speaking	15	16,5	12	20,3
TOTAL	91	100,0	59	100,0

TABLE 44

TREASURY BOARD
By Linguistic Community, Place of Work and Language Group

	N.	%	%	N.	%	%
	Provincial Total					
English-speaking						
Unil.	67	73,6	88,2	41	69,5	87,2
Bil (a)	2	02,2	02,6	0	00,0	00,0
Bil (b)	7	07,7	09,2	6	10,2	12,8
Sub-Total	76	83,5	100,0	47	79,7	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	15	16,5	100,0	11	18,6	91,7
Bil (b)	0	00,0	00,0	1	01,7	08,3
Sub-Total	15	16,5	100,0	12	20,3	100,0
TOTAL	91	100,0		59	100,0	

1. Called Treasury Board in the Linguistic Profile of 1985.

TABLE 45

TREASURY BOARD
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	%	French N	%	March 1982 English N	%	French N	%
				Provincial Total				
Senior Exec.	10	100,0	0	00,0	6	100,0	0	00,0
Scient. & Prof.	6	100,0	0	00,0	1	100,0	0	00,0
Adm. Services	31	79,5	8	20,5	25	75,8	8	24,2
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	26	78,8	7	21,2	10	90,9	1	09,1
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	3	100,0	0	00,0	2	66,7	1	33,3
TOTAL	76	83,5	15	16,5	44	81,5	10	18,5
		(91)	(100,0)			(54)	(100,0)	

The tables show that the Board of Management has not met the goal of equitable representation but rather, when compared with its predecessor, the Treasury Board of 1978, there is evidence of regression whereby the French-speaking make up only 16.5% of the civil servants. All of the French-speaking personnel are fluently bilingual while the percentage of unilingual English-speaking civil servants is 88.2% (an increase of 1%). Two of the English-speaking civil servants are bilingual (2.6% increase since 1978) and 7 are functionally bilingual (a decrease of 3.6%). Overall 26.4% of the personnel are bilingual: the French speakers comprise 62.5% of the bilinguals. Equitable representation has not been achieved in the professional categories.

During the hearing phase the presenters complained as to the apparent discriminatory policies in place in this fiscal agency and indeed accused the Board of "systematic discrimination" (501F). Accordingly it is vital that the general principles and objectives of this Report be implemented within this Board so to permit the fulfillment of its responsibilities to all citizens of the province.

c. Office of the Comptroller

TABLE 46

OFFICE OF THE COMPTROLLER
By Linguistic Community and Place of Work

	August 1985 N.	%	October 1978
	Provincial Total		
English-speaking	82	91,9	(Was part of Department of Finance in 1978)
French-speaking	8	08,9	
TOTAL	90	100,0	

1. In 1978, the Comptroller Office was with the Department of Finance.

TABLE 47

OFFICE OF THE COMPTROLLER
By Linguistic Community, Place of Work and Language Group

	N.	%	
	Provincial Total (Central Office only)		
English-speaking			
Unil.	78	95,1	(as above)
Bil.(a)	1	01,2	
Bil.(b)	3	03,7	
Sub-Total	82	100,0	
French-speaking			
Unil.	0	00,0	
Bil.(a)	8	100,0	
Bil.(b)	0	00,0	
Sub-Total	8	100,0	
TOTAL	90		

TABLE 48

OFFICE OF THE COMPTROLLER
By Linguistic Community, Professional Category and Place of Work

	August 1985				March 1982
	English		French		
Category	N	%	N	%	
	Provincial Total (Central Office Only)				
Senior Exec.	1	50,0	1	50,0	
Scient. & Prof.	0	00,0	0	00,0	(Was then under
Adm. Services	29	87,9	4	12,1	Department of
Technical	0	00,0	0	00,0	Finance.
Adm. Support	52	96,3	2	03,7	
Operational	0	00,0	0	00,0	
Others	0	00,0	1	100,0	
	82	91,1	8	08,9	
		(90)	(100,0)		

The Comptroller's Office has not reached equitable representation as the French speakers are under-represented in six of seven professional categories. The percentage of unilingual English-speaking personnel is 95.1%, while all of the French speakers are fluent bilinguals. 17.7% of the civil servants are bilingual of which 66.7% are French speakers.

10. Department of Agriculture

This Department is required to work closely with the agricultural producers in the province. Through its offerings of technical advice and financial assistance, its administration of the farm product marketing legislation and through its research and development activities it is an essential component in the development of a viable agriculture industry in New Brunswick.

TABLE 49

DEPARTMENT OF AGRICULTURE
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	218	74,7	211	77,3
French-speaking	74	25,3	62	22,7
TOTAL	292	100,0	273 (Uniden. 5)	100,0
		Central Office		
English-speaking	92	86,0	155	90,1
French-speaking	15	14,0	17	9,9
TOTAL	107	100,0	172	100,0
		Regional Offices		
English-speaking	126	68,1	56	55,4
French-speaking	59	31,9	45	44,6
TOTAL	185	100,0	101	100,0

TABLE 50

DEPARTMENT OF AGRICULTURE
By Linguistic Community, Place Of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	
Provincial Total						
English-speaking						
Unil.	194	66,4	89,0	192	70,3	91,0
Bil (a)	5	01,7	02,3	10	03,7	04,7
Bil (b)	19	06,5	08,7	9	03,3	04,3
Sub-Total	218	74,7	100,0	211	77,3	100,0
French-speaking						
Unil.	1	00,3	01,4	0	00,0	00,0
Bil (a)	63	21,6	85,1	54	19,8	87,1
Bil (b)	10	03,4	13,5	8	02,9	12,9
Sub-Total	74	25,3	100,0	62	22,7	100,0
TOTAL	292	100,0		273	100,0	
Central Office						
English-speaking						
Unil.	84	78,5	91,3	140	81,4	90,3
Bil (a)	1	00,9	01,1	8	04,7	05,2
Bil (b)	7	06,6	07,6	7	04,0	04,5
Sub-Total	92	86,0	100,0	155	90,1	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	14	13,1	93,3	15	08,7	88,2
Bil (b)	1	00,9	06,7	2	01,2	11,8
Sub-Total	15	14,0	100,0	17	09,9	100,0
TOTAL	107	100,0		172	100,0	
Regional Offices						
English-speaking						
Unil.	110	59,5	87,3	52	51,4	92,9
Bil (a)	4	02,2	03,2	2	02,0	03,6
Bil (b)	12	06,4	09,5	7	04,0	03,6
Sub-Total	126	68,1	100,0	56	55,4	100,0
French-speaking						
Unil.	1	00,5	01,7	0	00,0	00,0
Bil (a)	49	26,5	83,1	39	38,7	86,7
Bil (b)	9	04,9	15,2	6	05,9	13,3
Sub-Total	59	31,9	100,0	45	44,6	100,0
TOTAL	185	100,0		101	100,0	

TABLE 51

DEPARTMENT OF AGRICULTURE
By Linguistic Community, Professional Category and Place of Work

Category	October 1985 English N	English %	French N	French %	March 1982 English N	English %	French N	French %
Provincial Total								
Senior Exec.	4	80,0	1	20,0	5	83,3	1	16,7
Scient. & Prof.	84	66,1	43	33,9	92	68,7	42	31,3
Adm. Services	13	76,5	4	23,5	13	72,2	5	27,8
Technical	36	81,8	8	18,2	37	75,5	12	24,5
Adm. Support	49	75,4	16	24,6	52	75,4	17	24,6
Operational	26	96,3	1	03,7	28	96,6	1	03,4
Others	6	85,7	1	14,3	9	100,0	0	00,0
TOTAL	218	74,7	74	25,3	236	75,2	78	24,8
		(292)	(100,0)			(314)	(100,0)	
Central Office								
Senior Exec.	4	80,0	1	20,0	5	100,0	0	00,0
Scient. & Prof	30	85,7	5	14,3	56	87,5	8	12,5
Adm. Services	11	84,6	2	15,4	12	70,6	5	29,4
Technical	14	82,4	3	17,6	20	74,1	7	25,9
Adm. Support	25	89,3	3	10,7	43	89,6	5	10,4
Operational	3	100,0	0	00,0	9	100,0	0	00,0
Others	5	83,3	1	16,7	3	100,0	0	00,0
TOTAL	92	86,0	15	14,0	148	85,5	25	14,5
		(107)	(100,0)			(173)	(100,0)	
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	1	100,0
Scient. & Prof.	54	58,7	38	41,3	36	51,4	34	48,6
Adm. Services	2	50,0	2	50,0	1	100,0	0	00,0
Technical	22	81,5	5	18,5	17	77,3	5	22,7
Adm. Support	24	64,9	13	35,1	9	42,9	12	57,1
Operational	23	95,8	1	04,2	19	95,0	1	05,0
Others	1	100,0	0	00,0	6	100,0	0	00,0
TOTAL	126	68,1	59	31,9	88	62,4	53	37,6
		(185)	(100,0)			(141)	(100,0)	

Equitable representation has not been achieved either at the Central Office or in the regions as the French speakers are under-represented in this Department. 89% of the English-speaking civil servants are unilingual (a drop of 2% since 1978) while 1.4% of the French speakers are unilingual. Since 1978 there has been a small decline in the percentage of fluent bilinguals which are now 2.3% of the English speakers and 85.1% of the French speakers. The proportions of functional bilinguals have increased since 1978 amongst both groups but more so amongst the English-speaking group.

Overall 33.2% of the civil servants are bilingual, with 21.5% of the Central Office and 40% of those in the regions: 75.3% of the bilinguals are French-speaking. In the professional categories, equitable representation has been reached only in the scientific and professional levels overall and in administrative support in the regions.

The Committee heard numerous complaints from French-speaking producers as to the poor quality of services in French and particularly from the Central Office. These participants proposed solutions of which one was the decentralization of decision-making authority to the regions so as to:

a) provide the better delivery of governmental services in the language of the citizen;

b) permit the civil servant to work in his or her language;

c) ensure an equitable representation within the department; and

d) in particular, ensure the active participation of producers in the decision-making process so that agricultural development and management policies reflect the regional and linguistic realities of the agricultural industry.

During the hearing phase the presenters speaking for the producers offered a quotation from the Report on Agricultural Resources (1977) which recommended decentralization of this department as follows:

"The Regional Services Division would consist of five regional development centres, each under the supervision of a Director. The province would be divided into five regions with Regional Development Centres at Grand Falls, Florenceville, Fredericton, Moncton and Bathurst.

The principal responsibilities of these centres would be to plan for regional agricultural development, to conduct applied research relative to the needs of each region; to arrange and supervise the various educational activities which are suited to the requirements and opportunities of each area; to arrange for the various production policies, programs and activities to be implemented in a manner consistent with the needs and opportunities of each area; to relate market information and the various market policies and marketing techniques to the area's needs for development; and to evaluate all applications for grants and loans and forward these with recommendations to the

Agricultural Development Branch, accept in those cases where the Director has the authority to authorize grants ... the establishment of agricultural regions represents a real decentralization of the Department of Agriculture and Food to enable the department to respond more readily to the opportunities and the needs of the several areas of the province. In the interest of the achievement of this objective the Director of each Regional Development Center would be given the responsibility of preparing an annual budget reflecting the opportunities and needs of this region and within the general fiscal policy framework of the province."[1]

During the hearings the presenters indicated that the principles and objectives advanced in the Report on Agricultural Resources (1977) could promote the objective of equality of the two groups in relation to the agricultural community.

Also during the hearing phase participants from the farming community mentioned that some of the publications issued by the department were not made available in both official languages and that others produced in English were offered in French only after a considerable delay.

RECOMMENDATION 58

It is recommended that the Department of Agriculture seek the best means by which the existing regions can be given more input into the setting of agricultural policies and participate in the decision-making process which determines the distribution of the Department's budget.

RECOMMENDATION 59

It is recommended that the Department of Advanced Education and Training develop or offer or make available programmes of agricultural technology to both linguistic communities.

RECOMMENDATION 60

It is recommended that the Department of Agriculture take the necessary steps to offer the full range of its information services in both official languages simultaneously and to put into effect the principles and objectives adopted in this Report.

11. Department of Labour

a. Department of Labour

This Department is entrusted with important responsibilities in the areas of industrial relations, occupational health and safety, engineering, manpower and labour market services. It is called upon to administer to a large number of persons, agencies and businesses throughout the province either at the shop-floor or with regard to their relations with the general public. It is also the reporting Department for the Human Rights Commission and the Workers Compensation Board.

1. Report on Agricultural Resources, A. C. Parks, November 1977, p. 30.

TABLE 52

DEPARTMENT OF LABOUR AND HUMAN RESOURCES
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
Provincial Total				
English-speaking	160	75,1	150	79,8
French-speaking	53	24,9	38	20,2
TOTAL	213	100,0	188 (Uniden. 15)	100,0
Central Office				
English-speaking	105	81,4	101	89,4
French-speaking	24	18,6	12	10,6
TOTAL	129	100,0	113	100,0
Regional Offices				
English-speaking	55	65,5	49	65,3
French-speaking	29	34,5	26	34,7
TOTAL	84	100,0	75	100,0

TABLE 53

DEPARTMENT OF LABOUR AND HUMAN RESOURCES
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	136	63,8	85,0	138	73,4	92,0
Bil (a)	7	03,3	04,4	4	02,1	02,7
Bil (b)	17	08,0	10,6	8	04,3	05,3
Sub-Total	160	75,1	100,0	150	79,8	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	47	22,1	88,7	36	19,1	94,7
Bil (b)	6	02,8	11,3	2	01,1	05,3
Sub-Total	53	24,9	100,0	38	20,2	100,0
TOTAL	213	100,0		188	100,0	
			Central Office			
English-speaking						
Unil.	91	70,5	86,7	92	81,6	91,9
Bil (a)	4	03,1	03,8	3	02,7	03,1
Bil (b)	10	07,8	09,5	6	05,3	05,9
Sub-Total	105	81,4	100,0	101	89,4	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	21	16,3	87,5	11	09,7	91,7
Bil (b)	3	02,3	12,5	1	00,9	08,3
Sub-Total	24	18,6	100,0	12	10,6	100,0
TOTAL	129	100,0		113	100,0	
			Regional Offices			
English-speaking						
Unil.	45	53,6	81,8	46	61,3	93,9
Bil (a)	3	03,6	05,5	1	01,4	02,0
Bil (b)	7	08,3	12,7	2	02,6	04,1
Sub-Total	55	65,5	100,0	49	65,3	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	26	31,0	89,7	25	33,3	96,2
Bil (b)	3	03,5	10,3	1	01,4	03,8
Sub-Total	29	34,5	100,0	26	34,7	100,0
TOTAL	84	100,0		75	100,0	

TABLE 54

DEPARTMENT OF LABOUR AND HUMAN RESOURCES
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	2	66,7	1	33,3	4	100,0	0	00,0
Scient. & Prof.	17	77,3	5	22,7	19	95,0	1	05,0
Adm. Services	21	91,3	2	08,7	90	76,3	28	23,7
Technical	1	100,0	0	00,0	0	00,0	0	00,0
Adm. Services	45	76,3	14	23,7	42	80,8	10	19,2
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	74	70,5	31	29,5	4	100,0	0	00,0
TOTAL	160	75,1	53	24,9	159	80,3	39	19,7
		(213) (100,0)				(198) (100,0)		
Central Office								
Senior Exec.	2	66,7	1	33,3	4	100,0	0	00,0
Scient. & Prof	15	75,0	5	25,0	22[1]	88,0	3[1]	12,0
Adm. Services	20	95,2	1	04,8	55	85,9	9	14,1
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	29	82,9	6	17,1	36	85,7	6	14,3
Operational	0	00,0	0	00,0	0	0,0	0	00,0
Others	39	78,0	11	22,0	6[1]	100,0	0	00,0
TOTAL	105	81,4	24	18,6	118	88,7	16	11,3
		(129) (100,0)				(134) (100,0)		
Regional Offices								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	2	100,0	0	00,0	0	00,0	0	00,0
Adm. Services	1	50,0	1	50,0	35	64,8	19	35,2
Technical	1	100,0	0	00,0	0	00,0	0	00,0
Adm. Support	16	66,7	8	33,3	6	60,0	4	40,0
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	35	63,6	20	36,4	0	00,0	0	00,0
TOTAL	55	65,5	29	34,5	41	64,1	23	35,9
		(84) (100,0)				(64) (100,0)		

This Department has achieved equitable representation at the regional level but not in the Central Office where the French speakers remain under-represented. However progress has been made since 1978. 85% of the English-speaking personnel are unilingual (a decrease of 7% since 1978), 4.4% are fluently bilingual (an increase of 1.7%) and 10.6% are functionally bilingual (an increase of 5.3%). All of the French speakers are bilingual, 88.7% being fluent (a decrease of 6% since 1978) and 11.3% being functional (an increase of 6.0%); overall 36.2% of the civil servants are bilingual, with 29.5% in the Central Office and 46.4% in the regions: the French-speaking personnel make up 68.8% of those bilingual.

In the professional categories, equitable representation has been reached at senior executive levels in the Central Office and in administrative support in the regions. Otherwise the French speakers are under-represented with the exceptions of the levels of administrative services and "others" in the regions.

RECOMMENDATION 61

It is recommended that this Department ensure that all citizens be made aware of all safety instructions in both official languages or by pictograms.

RECOMMENDATION 62

It is recommended that:

1) this Department ensure that the private sector be made aware of and comply with

1. Anomalies noted.

the policies and objectives contained in recommendation 97;

2) this Department ensure that the objectives and policies of recommendations 97 and 98 be applied to all new collective agreements negotiated in all other sections including the public service.

b. Workers' Compensation Board

Workers' compensation is most simply and best understood as a legislative contract between employers and their employees in which employers agree collectively to insure workers against loss resulting from injury and in return for that guarantee the workers give up their legal right to sue their employers for the negligent conduct of operations causing harm. Although this is essentially a private agreement between employers and employees, nevertheless it has a public impact because of its very nature and because of government involvement in the performance of that contract as guarantor and overseer. In practice however the government is also perceived as the arbiter as to both the extent and the level of benefits to be paid out.

Groups representing injured workers in the north along with some other individual participants expressed opinions as to the effectiveness of the plan as regards to its linguistic limitations. They argued that even if the Central Office is staffed by persons forty per cent of whom are either fluently or functionally bilingual it remains unable to provide adequate services to injured French speakers. They asked that the centre at Grand Bay be reserved for the English speakers. They proposed (a) that a centre for French speakers be set up in Campbellton in the hospital building which will become vacant and available on the completion of the new regional hospital in that city or (b) that services be made more available at local levels using existing hospitals. Another presenter recommended the creation of a new French-speaking component of the Board.

The Committee believes that the workers of the province must receive equality of services in their respective languages from the Worker's Compensation Board and is of the opinion that regionalization of the service is the best means of achieving that goal.

RECOMMENDATION 63

It is therefore recommended that the goal of decentralization of services of the Worker's Compensation Board be pursued co-operatively by the departments of Labour, Health and Community Services and be implemented so as to ensure service to workers in their language and in their region as proposed in the following recommendations of "The Report of The Study Committee on Workers' Compensation (1980)".

These recommendations were as follows:

a) that the Board establish the regionalized delivery of services in claims investigation, auditing, rehabilitation, retraining and counselling; and, (Recommendation 63 of that Report)

(b) that these services be set up in Northwestern New Brunswick (Edmundston) and in the Northeastern New Brunswick (Bathurst). (Recommendation 64 of that Report)

12. Department of Education

The Department of Education develops and maintains elementary and secondary school programs to equip young New Brunswickers with the knowledge and skills required to function effectively in modern society. The Department establishes overall public school system objectives. It designs programs to meet selected goals, monitors implementation and evaluates results. This is an ongoing process which depends on constructive involvement of school trustees, educators and parents.

This department has two Deputy Ministers, one English-speaking and one French-speaking. The three Assistant Deputy Ministers are responsible respectively for French-language educational services, English-language educational services and support services.[1]

Homogeneous education services are provided in the areas of development and implementation of programmes, special education, evaluation techniques, services to students and professional development.

The Department has an Office of Common Services which provides the following services to both the English and French systems.

financial services;
payroll services;
department services;
finance services;
information services;
human resources;
certification;
instructional services;
building and equipment;
design and construction;
maintenance.

This Department has moreover a branch "Planning Management Services" which is directly responsible to the Deputy Ministers.

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1. From Department of Education Organizational Chart, January 1986.

TABLE 55

DEPARTMENT OF EDUCATION
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	89	54,9	117	65,0
French-speaking	73	45,1	63	35,0
TOTAL	162	100,0	180 (Uniden. 1)	100,0
		Central Office		
English-speaking	79	57,2	107	68,6
French-speaking	59	42,8	49	31,4
TOTAL	138	100,0	156	100,0
		Regional Offices		
English-speaking	10	41,7	10	41,7
French-speaking	14	58,3	14	58,3
TOTAL	24	100,0	24	100,0

TABLE 56

DEPARTMENT OF EDUCATION
By Linguistic Community, Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	75	46,3	84,3	106	58,9	90,6
Bil (a)	7	04,3	07,9	5	02,8	04,3
Bil (b)	7	04,3	07,9	6	03,3	05,1
Sub-Total	89	54,9	100,0	117	65,0	100,0
French-speaking						
Unil.	0	00,0	00,0	1	00,6	01,6
Bil (a)	64	39,5	87,7	55	30,5	87,3
Bil (b)	9	05,6	12,3	7	03,9	11,1
Sub-Total	73	45,1	100,0	63	35,0	100,0
TOTAL	162	100,0		180	100,0	
			Central Office			
English-speaking						
Unil.	66	47,8	83,5	97	62,2	90,7
Bil (a)	6	04,3	07,6	5	03,2	04,7
Bil (b)	7	05,1	08,9	5	03,2	04,7
Sub-Total	79	57,2	100,0	107	68,6	100,0
French-speaking						
Unil.	0	00,0	00,0	1	00,6	02,0
Bil (a)	53	38,4	89,8	41	26,3	83,7
Bil (b)	6	04,4	10,2	7	04,5	14,3
Sub-Total	59	42,8	100,0	49	31,4	100,0
TOTAL	138	100,0		156	100,0	
			Regional Offices			
English-speaking						
Unil.	9	37,5	90,0	9	37,5	90,0
Bil (a)	1	04,2	10,0	0	00,0	00,0
Bil (b)	0	00,0	00,0	1	04,2	10,0
Sub-Total	10	41,7	100,0	10	41,7	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	11	45,8	78,6	14	58,3	100,0
Bil (b)	3	12,5	21,4	0	00,0	00,0
Sub-Total	14	58,3	100,0	14	58,3	100,0
TOTAL	24	100,0		24	100,0	

TABLE 57

DEPARTMENT OF EDUCATION
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	7	53,8	6	46,2	5	55,6	4	44,4
Scient. & Prof.	24	48,0	26	52,0	29	51,8	27	48,2
Adm. Services	15	62,5	9	37,5	20	66,7	10	33,3
Technical	2	40,0	3	60,0	3	60,0	2	40,0
Adm. Support	34	61,8	21	38,2	40	61,5	25	38,5
Operational	6	60,0	4	40,0	8	72,7	3	27,3
Others	1	20,0	4	80,0	0	00,0	3	100,0
TOTAL	89	54,9	73	45,1	105	58,7	74	41,3
		(162)	(100,0)			(179)	(100,0)	
Central Office								
Senior Exec.	6	50,0	6	50,0	5	55,6	4	44,4
Scient. & Prof	20	52,6	18	47,4	28	52,8	25	47,2
Adm. Services	14	66,7	7	33,3	20	66,7	10	33,3
Technical	2	40,0	3	60,0	3	60,0	2	40,0
Adm. Support	31	63,3	18	36,7	40	63,5	23	36,5
Operational	5	62,5	3	37,5	7	77,8	2	22,2
Others	1	20,0	4	80,0	0	00,0	3	100,0
TOTAL	79	57,2	59	42,8	103	59,9	69	40,1
		(138)	(100,0)			(172)	(100,0)	
Regional Offices								
Senior Exec.	1	100,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	4	33,3	8	66,7	1	33,3	2	66,7
Adm. Services	1	33,3	2	66,7	0	00,0	0	00,0
Technical	0	00,0	0	00,0	0	00,0	0	00,0
Adm. Support	3	50,0	3	50,0	0	00,0	2	100,0
Operational	1	50,0	1	50,0	1	50,0	1	50,0
Others	0	00,0	0	00,0	0	00,0	0	00,0
TOTAL	10	41,7	14	58,3	2	28,6	5	71,4
		(24)	(100,0)			(7)	(100,0)	

The tables show that equitable representation has not been achieved either at the Central Office or in the regions, the English speakers as being under-represented in both areas. 84.3o% of the English speakers are unilingual (a decrease of 6.3%), 7.9% are fluently bilingual (an increase of 3.6%), functional bilinguals are 7.9% an increase of 2.8%. All of the French speakers are bilingual, 87.7% being fluent (an increase of 0.4%) and 12.3% are functional (an increase of 1.2%). 53.7% of all civil servants are bilingual, 52.2% at the Central Office and 62.5% in the regions: the French speakers make up 83.9% of the bilinguals.

Equitable representation has only been achieved in the level of administrative services at the Central Office; for the most of the rest, the English speakers are under-represented.

The Report of the Task Force made only three recommendations in the field of education and the government has already implemented programmes for second language education and has restructured the school system along homogeneous linguistic lines. Nevertheless, education was the most frequently discussed field during the hearing phase. In particular the presenters raised issues concerning the structure of the Department itself, the homogeneous school system, second language programmes and the distribution of education funds.

a. The Structure of the Department

The Department is headed up by two Deputy Ministers; each is responsible for providing educational services to his respective linguistic community while both are responsible for providing common services,

such as finance and teacher certification, to their jurisdictions.

A majority of those expressing an opinion appeared very satisfied with that structure although many French-speaking presenters complained of the fact that the common services branch was under the control of a unilingual, English-speaking Assistant Deputy Minister and that there was difficulty in obtaining services in French from that branch. They felt it to be unacceptable that they should have to resort to a second language when dealing with matters of budgets and finance.

RECOMMENDATION 64

It is recommended that the Department of Education take steps to improve communications in both official languages in matters of support services in order to respect the principles and objectives of this report.

b. Homogeneous schools and school districts

The majority of organizations from the two official communities were in favour of the present homogeneous system. However there were some school boards and organizations along with several English-speaking presenters who stated their opposition to a school system established along linguistic lines.

The briefs identified a number of areas in which they felt government action was needed, these were:

The need for all children in the province to have access to either an English or a French school, something according to them which is impossible now since there are several areas in the province that do not have two school systems. The Report on the Organization and Boundaries of School Districts in New Brunswick (1980) dealt with this issue and made recommendations which made possible the education of students in their language be it English or French.

That Report recommended:

1) "that all schools be organized on the basis of language as either English or French and that such organization be placed both in the Schools Act and in the Official Languages Act of New Brunswick;

2) that all school districts be likewise established on the basis of language as either English or French and that this be placed in the Schools Act."

RECOMMENDATION 65

It is recommended that the Department make known to those concerned with homogeneous educational issues of the steps to be taken to effect their rights under the Schools Act of New Brunswick.

The briefs also expressed concern over the election of school trustees. Thus:

In order to eliminate the confusion and delays associated with the voting for school trustees during municipal elections in regions where there are two school systems:

RECOMMENDATION 66

It is recommended that the returning officer for the province examine the existing measures associated with the election of school trustees and bring in measures to simplify the process.

One further issue was:

Funding

Some school boards expressed concern over perceived inconsistencies in government policies with respect to the funding of capital projects such as new schools and the contributions with respect to ordinary operating budgets.

RECOMMENDATION 67

It is recommended that the Department of Education review its policy, with respect to the funding of capital expenditures to ensure that all districts are governed by the same guidelines with regard to the sizes and types of facilities financed by government and that the Department revise, where necessary, its policies for determining ordinary budgets to ensure fairness and that the criteria employed be made public.

Finally the presenters raised an issue deriving from the Report Towards Equality of Official Languages in New Brunswick expressed in recommendation 19 which stated:

> "That the Official Languages Act set out the duty of the government to provide a school system organized on the basis of homogeneous schools and school districts of each official language, these schools and districts being administered by representatives of the respective official language communities."

This recommendation was supported by almost all of the briefs from individuals and groups from the French-speaking community and was rejected by the majority of the briefs from the English-speaking community.

The Committee could not arrive at a consensus. The English members did not think it was necessary to entrench this right as it already appeared in the Schools Act.

The French members felt that the homogeneous school option should be included in any new or revised language legislation.

c. Second Language Programmes

The presenters from both linguistic communities expressed dissatisfaction with the second language

systems presently in place and their results. The goal of graduating passively bilingual persons as recommended in the Task Force Report received little support. The participants expected the educational system to graduate persons capable of functioning in their second language for employment and professional purposes.

The arguments presented for improved second language programmes were manifold. Thus the linguistic makeup of New Brunswick, the laws defining the linguistic rights of citizens and the fact of living in North America make it necessary that French and English be taught their first language and also the second official language of the province.

Moreover there is a value in learning a second language which goes beyond social and economic considerations; their origins and similarities of syntax render French and English easier to master as second languages. There will be available in the near future larger numbers of competent second language teachers who can assist the people of the two communities who have already shown their interest in and commitment to the learning of their respective second languages.

And lastly, outside of the traditional school programmes, there are now available electronic and audio-visual aids which with proper planning and coordination can be utilized for effective second language training.

The English and French-speaking students in second language programmes are not in the same situation. Some French-speaking briefs pointed out, there is a clear risk that the maternal language of a minority language group may suffer because of second language training and this requires that special consideration be given to mother-tongue instruction itself. On the other hand young French-speaking students emphasized the need for effective second language training to assure them access to employment opportunities. A few argued that English immersion was necessary for French-speaking students in predominantly in French-speaking regions.

For the English presenters a primary concern was that the educational system should produce functionally, rather than passively, bilingual students. The studies mentioned during the hearings suggested that, for a majority language group, the acquiring of a second language does not diminish the individual's mother-tongue capacity.

Some of the English-language briefs, pointing out the different second language programmes in place, stated that there was considerable confusion about the objectives, effectiveness and accessibility of second language programmes rendering it difficult for parents to make an informed choice. The presenters also expressed concern over the impact that immersion programmes, especially early immersion, had on the educational programme overall because of their attraction of the best students and of the costs of the programmes themselves.

RECOMMENDATION 68

It is recommended that the Department of Education:

1) *set as a minimum standard functional bilingualism[1] as a goal in second language education for students of both linguistic groups;*

2) *review existing second language programmes as to their success in achieving the established objectives, their cost effectiveness and their impact on the student's mother-tongue capacity; and*

3) *establish guidelines on the basis of such investigations for the use of school boards that are offering or intend to offer second language programmes.*

A number of English-language briefs raised the issue that in some school districts there are insufficient places in the second language immersion programmes for those who wish to enroll and that some districts have resorted to lottery systems to determine the students for the places available.

RECOMMENDATION 69

It is recommended that the Department of Education take steps in collaboration with the School Boards to ensure that all students possessing the necessary qualifications have access to a recommended second language programme.

Some English-speaking education-related organizations raised concerns about (a) the distribution of federal funds for second language training; and (b) the inadequacy of funding for second language programmes and the resulting intrusion into the funds for other programmes as a consequence of the demand for more and better second language programmes.

RECOMMENDATION 70

It is recommended that the Department of Education:

1) *review its policies with respect to the distribution of federal funds for second language training and formulate a policy aimed at the equitable distribution of those funds amongst the school boards of both linguistic communities, and*

2) *review its priorities to ensure adequate funding for second language programmes but without adversely affecting other programmes.*

Since many say the success of second language programmes depends on the capacity of the teachers,

1. See Glossary.

RECOMMENDATION 71

It is recommended that the Department of Education co-operate with the universities concerned to ensure the increasing competence of students graduating from programmes designed for second language teachers.

Many of the English-speaking presenters stressed that the increase in the enrollment in second language programmes illustrated the response of that community to the existence of the Official Languages of New Brunswick Act and that students enrolled when the programmes were set up are only now graduating and entering the work-force. This view has been borne in mind by the Committee when considering the matter of timetables for the implementation of linguistic policy.

Although this is a small province one cannot avoid observing that the two communities are perceived as living in two solitudes. During the hearing phase a number proposed programmes of exchanges and intercommunity visits.

RECOMMENDATION 72

It is recommended that the department of Education study the means for developing exchange programmes:

1) by employing federal funds available for this purpose;

2) by facilitating, in co-operation with the school boards and other bodies, student exchanges between the two linguistic communities within the province;

3) by organizing, in collaboration with the Department of Tourism, Recreation and Heritage, tours by individuals and groups to the schools of the other community;

The members of the Committee encourage the communities and their institutions, such as the churches and social clubs, to foster visits of individuals and groups to the other community.

Several types of immersion programmes offered in the summer months either in specific subjects at the high school level in the second language or by instruction purely for improving competence in the second language itself greatly assists in the learning of a second language and appreciation of the other culture. However these programmes are very much oversubscribed at present.

RECOMMENDATION 73

It is recommended that the commendable efforts of the Department of Education be expanded so as to make such summer immersion programmes more readily available and accessible to a wider range of citizens as soon as is practical.

13. Department of Commerce and Technology

This Department has an important economic role in providing technical and financial support to ongoing businesses and in the planning of industrial expansion. This role is emphasized by the creation of a Science and Technology Secretariat which business needs to maintain competitiveness and encourage development. The Secretariat's main functions lie in the analysis of proposals from the private sector as to their viability and appropriateness and in the encouragement of the regional councils of economic expansion to foster the development of all regions of the province and of the two linguistic groups in an equitable manner.

The Department is the reporting channel for three agencies:

(a) The New Brunswick Development Council;

(b) The New Brunswick Appeal Board for Industrial Development; and

(c) The Provincial Holding Company Ltd.

The officers and staff of these agencies should be capable of meeting the needs of the different linguistic regions and should reflect the makeup of the province.

TABLE 58

DEPARTMENT OF COMMERCE AND TECHNOLOGY
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
		Provincial Total		
English-speaking	86	81,1	83	89,2
French-speaking	20	18,9	10	10,8
TOTAL	106	100,0	93	100,0
		Central Office		
English-speaking	73	80,2	83	89,2
French-speaking	18	19,8	10	10,8
TOTAL	91	100,0	93	100,0
		Regional Offices		
English-speaking	13	86,7		
French-speaking	2	13,3	S/O	
TOTAL	15	100,0		

TABLE 59

DEPARTMENT OF COMMERCE AND DEVELOPMENT
By Linguistic Community, and Place of Work and Language Group

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	65	61,3	75,6	76	81,7	91,6
Bil (a)	5	04,7	05,8	0	00,0	00,0
Bil (b)	16	15,1	18,6	7	07,5	08,4
Sub-Total	86	81,1	100,0	83	89,2	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	20	18,9	100,0	9	09,7	90,0
Bil (b)	0	00,0	00,0	1	01,1	10,0
Sub-Total	20	18,9	100,0	10	10,8	100,0
TOTAL	106	100,0		93	100,0	
			Central Office			
English-speaking						
Unil.	53	58,2	72,6	76	81,7	91,6
Bil (a)	4	04,4	05,5	0	00,0	00,0
Bil (b)	16	17,6	21,9	7	07,5	08,4
Sub-Total	73	80,2	100,0	83	89,2	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	18	19,8	100,0	9	09,7	90,0
Bil (b)	0	00,0	00,0	1	01,1	10,0
Sub-Total	18	19,8	100,0	10	10,8	100,0
TOTAL	91	100,0		93	100,0	
			Regional Offices			
English-speaking						
Unil.	12	80,0	92,3			
Bil (a)	1	06,7	07,7	N/A		
Bil (b)	0	00,0	00,0			
Sub-Total	13	86,7	100,0			
French-speaking						
Unil.	0	00,0	00,0			
Bil (a)	2	13,3	100,0			
Bil (b)	0	00,0	00,0	N/A		
Sub-Total	2	13,3	100,0			
TOTAL	15	100,0				

TABLE 60

DEPARTMENT OF COMMERCE AND DEVELOPMENT
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	6	85,7	1	14,3	4	66,7	2	33,3
Scient. & Prof.	48	76,2	15	23,8	45	83,3	9	16,7
Adm. Services	4	100,0	0	00,0	4	100,0	0	00,0
Technical	1	100,0	0	00,0	2	100,0	0	00,0
Adm. Support	19	90,5	2	09,5	18	90,0	2	10,0
Operational	3	75,0	1	25,0	2	100,0	0	00,0
Others	5	83,3	1	16,7	3	75,0	1	25,0
TOTAL	86	81,1	20	18,9	78	84,8	14	15,2
		(106)	(100,0)			(92)	(100,0)	
Central Office								
Senior Exec.	4	80,0	1	20,0	4	66,7	2	33,3
Scient. & Prof	42	73,7	15	26,3	45	83,3	9	16,7
Adm. Services	3	100,0	0	00,0	4	100,0	0	00,0
Technical	1	100,0	0	00,0	0	00,0	0	00,0
Adm. Support	18	90,0	2	10,0	18	90,0	2	10,0
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	5	100,0	0	00,0	3	75,0	1	25,0
TOTAL	73	80,2	18	19,8	74	84,1	14	15,9
		(91)	(100,0)			(88)	(100,0)	
Regional Offices								
Senior Exec.	2	100,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	6	100,0	0	00,0	0	00,0	0	00,0
Adm. Services	1	100,0	0	00,0	0	00,0	0	00,0
Technical	0	00,0	0	00,0	2	100,0	0	00,0
Adm. Support	1	100,0	0	00,0	0	00,0	0	00,0
Operational	3	75,0	1	25,0	2	100,0	0	00,0
Others	0	00,0	1	100,0	0	00,0	0	00,0
TOTAL	13	86,7	2	13,3	4	100,0	0	00,0
		(15)	(100,0)			(4)	(100,0)	

This Department has not achieved equitable representation either at the Central Office or in the regions. The French speakers are under-represented throughout. 75.6% of the English-speaking personnel are unilingual (a decrease of 16.0%), 5.8% are fluently bilingual (an increase of 5.8%) while 18.6% are functionally bilingual (an increase of 10.2%). All of the French-speaking civil servants are fluently bilingual. Overall 38.7% of the civil servants are bilingual, with 41.8% at the Central Office and 38.7% in the regions: French-speaking civil servants make up 48.8% of the bilinguals. The goal of equitable representation has not been reached in any of the professional categories.

During the hearings one French-speaking Chamber of Commerce complained of the predominance of unilinguals in this Department. Some English-speaking briefs questioned the numbers of industrial commissions in French regions and the advantages derived therefrom.

Since equitable treatment should not only be achieved but also be seen to be so, and since the Department should render equal services to both linguistic groups:

RECOMMENDATION 74

It is recommended that the Department of Commerce and Technology, as restructured, develop the competence necessary to respect the basic principles and objectives of this Report.

14. Department of Fisheries

The numbers of civil servants of this Department in the regions is approximately equal to the numbers in the Central Office. The Department serves two linguistic groups concentrated in distinct geographical regions and it provides programmes and services to the provincial fishing industry.

TABLE 61

DEPARTMENT OF FISHERIES
By Linguistic Community and Place of Work

	August 1985		October 1978	
	N.	%	N.	%
Provincial Total				
English-speaking	24	26,1	15	24,2
French-speaking	68	73,9	47	75,8
TOTAL	92	100,0	62	100,0
Central Office				
English-speaking	17	40,5	9	33,3
French-speaking	25	59,5	18	66,7
TOTAL	42	100,0	27	100,0
Regional Offices				
English-speaking	7	14,0	6	17,1
French-speaking	43	86,0	29	82,9
TOTAL	50	100,0	35	100,0

TABLE 62

DEPARTMENT OF FISHERIES
By Linguistic Community and Place of Work

	August 1985			October 1978		
	N.	%	%	N.	%	%
			Provincial Total			
English-speaking						
Unil.	18	19,5	75,0	11	17,8	73,3
Bil (a)	3	03,3	12,5	2	03,2	13,3
Bil (b)	3	03,3	12,5	2	03,2	13,3
Sub-Total	24	26,1	100,0	15	24,2	100,0
French-speaking						
Unil.	3	03,3	04,4	1	01,6	02,1
Bil (a)	53	57,6	77,9	40	64,5	85,1
Bil (b)	12	13,0	17,6	6	09,7	12,8
Sub-Total	68	73,9	100,0	47	75,8	100,0
TOTAL	92	100,0		62	100,0	
			Central Office			
English-speaking						
Unil.	13	31,0	76,5	7	25,9	77,8
Bil (a)	1	02,4	05,9	0	00,0	00,0
Bil (b)	3	07,1	17,6	2	07,4	22,2
Sub-Total	17	40,5	100,0	9	33,3	100,0
French-speaking						
Unil.	0	00,0	00,0	0	00,0	00,0
Bil (a)	25	59,5	100,0	18	66,7	100,0
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	25	59,4	100,0	18	66,7	100,0
TOTAL	42	100,0		27	100,0	
			Regional Offices			
English-speaking						
Unil.	5	10,0	71,4	4	11,4	66,7
Bil (a)	2	04,0	28,6	2	05,7	33,3
Bil (b)	0	00,0	00,0	0	00,0	00,0
Sub-Total	7	14,0	100,0	6	17,1	100,0
French-speaking						
Unil.	3	06,0	07,0	1	02,9	03,4
Bil (a)	28	56,0	65,1	22	62,9	75,9
Bil (b)	12	24,0	27,9	6	17,1	20,7
Sub-Total	43	86,0	100,0	29	82,9	100,0
TOTAL	50	100,0		35	100,0	

TABLE 63

DEPARTMENT OF FISHERIES
By Linguistic Community, Professional Category and Place of Work

Category	August 1985 English N	August 1985 English %	August 1985 French N	August 1985 French %	March 1982 English N	March 1982 English %	March 1982 French N	March 1982 French %
Provincial Total								
Senior Exec.	1	33,3	2	66,7	0	00,0	3	100,0
Scient. & Prof.	7	26,9	19	73,1	8	27,6	21	72,4
Adm. Services	3	30,0	7	70,0	3	27,3	8	72,7
Technical	6	42,9	8	57,1	6	50,0	6	50,0
Adm. Support	7	26,9	19	73,1	6	25,0	18	75,0
Operational	0	00,0	8	100,0	0	00,0	4	100,0
Others	0	00,0	5	100,0	0	00,0	4	100,0
TOTAL	24	26,1	68	73,9	23	26,7	63	73,3
		(92)	(100,0)			(86)	(100,0)	
Central Office								
Senior Exec.	1	33,3	2	66,7	0	00,0	3	100,0
Scient. & Prof	7	77,8	2	22,2	8	66,7	4	33,3
Adm. Services	2	33,3	4	66,7	2	25,0	6	75,0
Technical	1	50,0	1	50,0	1	50,0	1	50,0
Adm. Support	6	35,3	11	64,7	5	29,4	12	70,6
Operational	0	00,0	0	00,0	0	00,0	0	00,0
Others	0	00,0	5	100,0	0	00,0	4 [1]	100,0
TOTAL	17	40,5	25	59,5	16	34,8	30	64,4
		(42)	(100,0)			(46)	(100,0)	
Regional Office								
Senior Exec.	0	00,0	0	00,0	0	00,0	0	00,0
Scient. & Prof.	0	00,0	17	100,0	0	00,0	17	100,0
Adm. Services	1	25,0	3	75,0	1	33,3	2	66,7
Technical	5	41,7	7	58,3	5	50,0	5	50,0
Adm. Support	1	11,1	8	88,9	1	14,3	6	85,7
Operational	0	00,0	8	100,0	0	00,0	4	100,0
Others	0	00,0	0	00,0	0	00,0	0	00,0
TOTAL	7	14,0	43	86,0	7	17,1	34	82,9
		(50)	(100,0)			(41)	(100,0)	

1. Change noted.

The tables show that this Department has not achieved equitable representation either at the Central Office or in the regions. The French speakers are over-represented in both areas. 75.0% of the English speaking civil servants are unilingual (an increase of 1.7%), the numbers of fluent and functional bilinguals are the same - 12.5% which represents a decline of 0.8% in French speakers in both categories since 1978. 4.4% of the French speakers are unilingual (an increase of 2.3%), 77.9% are fluently bilingual (a decline of 7.2%) and 17.6% are functionally bilingual (an increase of 4.8%). Overall 77.2% of the civil servants are bilingual, with 69% at the Central Office and 84% in the regions: 91.5% of the bilinguals are French speakers. The English speakers are under-represented in all professional categories with the exception of the scientific and professional at the Central Office.

One brief presented by an Acadian fishermens' organization, while recognizing that French-speaking civil servants make up a majority in the Department, complained of the difficulty posed when unilingual English civil servants at the senior level are assigned to negotiate fishing disputes in the Gulf of St. Lawrence with the province of Quebec. Their strong opposition to that situation together with the need to serve the two linguistic fishing communities prompted them to suggest a new structure made up of two zones - the Gulf of St. Lawrence and the Bay of Fundy.

The Department of Fisheries serves both groups in two distinct geographic regions of the province. These two groups of fishermen, fishery workers, producers and affiliated industries have distinct needs which are a consequence of the complexities of their two industries in the Gulf of St. Lawrence and the Bay of Fundy.

RECOMMENDATION 75

It is recommended that the Department of Fisheries establish two administrative regions each headed by an assistant Deputy Minister, one for the Bay of Fundy with the main language of service and work being English, and another for the Gulf of Saint Lawrence in which the main language of service and work would be French. The language of service for the minorities in each zone and the language of communication with the Central Office should follow the linguistic nature of the zones and respect the general principles and objectives of this Report.

B. The Municipalities

The municipal governments are examined under four headings - (1) the ambiguity of their legal status, (2) the legislation applying to municipalities, (3) the services received by them from government departments, and (4) the services they provide. It is necessary to review the special position of Fredericton as capital of a bilingual province.

1. Ambiguity of their Legal Status

While it is possible to speak of the autonomy of local government nevertheless the municipalities are subject to the political and legal authority of the provincial government. Municipalities have vested in them certain responsibilities:

a) While the citizens determine the makeup of their municipal government by a vote, it is the government of the province which created the municipalities and the Legislature which incorporates them. According to the Constitution the municipal governments fall within the authority of the provincial government (Art. 92(8) and are seen as "creatures" of the government of the province.

b) While the municipal council, the mayor and the councillors, are elected by the people of the municipality are representative of them and accountable to them nevertheless the municipal government is the subject matter of a government department to which the municipalities are, to some extent, responsible.

c) The municipal council has the authority to make decisions in the form of regulations and by-laws which must be approved by the Minister.

d) The municipal council has the authority to tax persons within its jurisdiction through such as property assessments but it is the Department of Municipal Affairs and Environment which collects the taxes and makes grants to the municipalities.

2. Legislation Applicable to the Municipalities

An examination of the Constitution Act (1982) and the Official Languages of New Brunswick Act provides the basis for analysis of the role of municipal governments.

Sections 16(1) and 16(2) of the Charter of Rights and Freedoms state that:

16(1) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.

16(2) English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the Legislature and government of New Brunwick.

Sections 20(1) and 20(2) state:

20(1) Any member of the public in Canada has the right to communicate with, and to receive available services from, any head or central

office of an institution of the Parliament or government of Canada in English or French, and has the same right with respect to any other office of any such institution where

a) there is a significant demand for communications with and services from that office in such languages; or

b) due to the nature of the office, it is reasonable that communications with and services from that office be available in both English and French.

20(2) Any member of the public in New Brunswick has the right to communicate with, and to receive available services from any office of an institution of the Legislature or government of New Brunswick in English or French.

It will be seen that the duties prescribed for New Brunswick do not contain the qualifying clauses which are applicable to the government of Canada.

Thus while the legislation clearly states the obligations of all institutions of the Legislature and Government of New Brunswick with respect to the languages of service it is unclear whether or not those obligations apply to municipal governments. The question to be resolved is whether or not municipalities are "institutions" of government.

During the hearing phase it was apparent that most of the French-speaking municipalities supported the municipal-related recommendations of the Report of the Task Force "Toward Equality of Official Languages in New Brunswick" while the English municipalities expressed their opposition although there were notable exceptions. The municipalities in the bilingual regions, although with some reservations, spoke of their past successes and of their plans to meet their linguistic responsibilities. But overall the local government bodies expressed their objection to any further intrusion into their affairs by the provincial government, yet one municipality argued that it was an institution of government in terms of the Constitution Act (1982).

Municipalities serve populations which are markedly different in their makeup, some are predominantly English-speaking or French-speaking, others bilingual in the sense that both linguistic groups are almost equally represented. The diverse composition of the municipalities makes it difficult to develop an overall policy. The citizens were unclear as to what level of services they should receive from their local government offices. Also many presenters during the hearing phase registered their opposition to further intrusion by the provincial government in local government affairs. The Official Languages of New Brunswick Act provides:

S.11. The Council of any municipality may declare by resolution that either or both official languages may be used with regard to any matters or in any proceeding of such council.

RECOMMENDATION 76

It is recommended that the government urge each municipality to declare its linguistic status as English-speaking, French-speaking or bilingual and to encourage them to develop a language policy commensurate with their decision.

A number of municipalities emphasized their need of financial support from government to implement new linguistic policies developed by the provincial government.

RECOMMENDATION 77

It is recommended that the Department of Municipal Affairs and Environment make available technical and financial aid to those municipalities which have a language policy so to meet the needs of the two official communities.

3. Services Received from Central Government

Municipal councils, from the French-speaking regions, were virtually unanimous in their demands for improved language services from the departments at the Central Office. Their complaints ranged from the conduct of telephone calls, to delays in the responses in French, to correspondence in French and from the need always to deal with junior civil servants due to the linguistic limitations of senior civil servants.

RECOMMENDATION 78

It is recommended that the provincial government ensure, through implementation of its own language policy, that all departments provide services of equal quality to the municipalities.

4. Services Provided by Local Government

While organizations and individuals from predominantly English-speaking or French-speaking municipalities expressed little concern with regard to delivery of services in their language, those (mostly French-speaking participants) in bilingual municipalities or mixed regions stressed the need for improved services in both official languages.

Until such time as the government clarifies the legal status of the municipalities:

RECOMMENDATION 79

It is recommended that the provincial government request all municipalities to provide minimum services for emergencies, consideration being given to the organization on a regional basis of telephone services.

RECOMMENDATION 80

It is recommended that the provincial government request all declared unilingual municipalities, and particularly those in which a minority group exists, to provide them with linguistic services by establishing a specific service or reception office to meet the needs of that particular group.

RECOMMENDATION 81

It is recommended that the provincial government request all bilingual municipalities to provide adequate service to its two linguistic groups in the areas of finance, planning, recreation, telephone directory services and signage relating to municipal works and services.

5. Fredericton as Capital of a Bilingual Province

During the hearing phase the public gave particular attention to this topic and their reactions can be grouped as follows:

1) Some municipal councils were reluctant to make recommendations on a matter that affected another municipality while others saw Fredericton as having a special and particular responsibility deriving from its position as capital of a province recognizing two official languages.

2) Fredericton Municipal Council and the Fredericton Chamber of Commerce expressed their willingness to co-operate in a linguistic plan if the necessary funding could be found from external sources.

3) Some councils spoke to their concern that the setting up of a Capital Commission might result in an increase in their own tax burden.

4) Members of the French-speaking community stated that the capital of their province should reflect their equality as citizens and members of one of the two officially recognized linguistic communities.

5) The present situation may be the result of a number of factors such as:

a) inadequate services in French from the Central Offices of the government departments in the city;

b) the city's population makeup in which the French-speaking community is less than ten per cent and does not approach the critical mass required for the everyday use of French everywhere;

c) inadequate services in French from the private sector to both residents and visitors.

Because the Committee believes that Fredericton has a special linguistic role as capital of a bilingual province,

RECOMMENDATION 82

It is recommended that the provincial government develop and implement a policy that will enable all provincial government departments located in Fredericton to provide adequate service in French to their clientele;

RECOMMENDATION 83

It is recommended that the City of Fredericton, through its council, be asked to establish a committee representing the city, the provincial government, and other organizations committed to finding ways to improve the status of Fredericton as the Capital of a bilingual province. These members will be drawn from the two linguistic communities.

RECOMMENDATION 84

It is recommended that the Chamber of Commerce of Fredericton encourage the private sector where practicable to meet the requests of customers who wish to be served in French so as to assist in the change of attitudes.

C. Health Care Services

The health care system is a complex field; therefore the Committee concentrated on the language of service to patients.

A number of presenters argued that the competence of the health professional was the primary consideration and that language of service must be secondary. The Committee believes that in times of crisis or urgency it may be necessary and justifiable to use the services of a translator since the administering of treatment must occur even if communication is minimal.

However in the course of providing everyday care communication between professional and patient in the language of the patient must be an essential component of efficient and equal treatment. Every professional is taught that he or she must know
his or her patient who is a partner in the treatment. In order to communicate effectively the professional must adapt his or her language and so use words familiar to the patient to ensure full communication. The competent professional will employ any means to ensure communication.

The Department of Health recognizes two categories of hospitals in the province: *local* or *district* institutions[1] in which the latter offers a wider range of services, and *regional* hospitals which offer the widest range of services to the greatest number of citizens. Some of these regional hospitals provide, exclusively, certain highly specialized services to the whole provincial population.

Corresponding to the different categories of hospitals are various levels of health services described below:

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1. The terms are taken from the Committee on Health Needs in New Brunswick, 1978.

a) primary or essential care, given to patients by a specialist attached to the hospital or rendered by a general practitioner. This level of care which ranges from prevention to rehabilitation does not necessitate hospitalization and is offered by all institutions regardless of category.[2]

b) secondary care, given by a hospital encompassing basic specialities such as internal medicine or general surgery, and certain diagnostic and rehabilitation services. Under this heading falls specialized secondary care which calls for refined and complex methods of diagnosis and treatment available only in certain regional centres where justified by population density.

c) tertiary care: that offered by highly specialized facilities and requiring a larger population base because of the level of specialization of the medical staff and the equipment required along with the costs of establishment and operations which economically prohibit the widespread offering of such services.[1]

The problems of language of service seem to be concentrated at the tertiary level and a number of French speakers described unacceptable situations.

The Saint John Regional Hospital which alone offers certain types of tertiary care considers the providing of services in two languages could be difficult and expensive. In spite of efforts made by the hospital to provide services in both languages, it is considered for the foreseeable future, due to the predominantly English-speaking makeup of its location and because of the problems of recruitment of bilingual personnel, that this hospital cannot aspire in the long term to be able to provide fully adequate health service in French. The Committee recognizes that it is difficult to recruit specialists and more so bilingual specialists. There is no doubt that considering the population to be served that the costs of providing care may be high but nevertheless health care constitutes an essential service for all citizens.

The present legal framework recognizes the equality of the two linguistic communities and their rights to institutions fulfilling their needs. It must be assumed that this includes the providing of medical services in the language of the user. While there appears to be some support for the idea that the problem will resolve itself over time Senator Robertson when Minister of Government Reform disavowed that approach in 1984 when she addressed the Legislature:

> "The complexity of society, and people's varying desires and expectations, have shown the importance of thinking carefully about where we want to go and how we want to get there. It is no longer sufficient to simply let nature take its course, or to muddle through, since this can be a costly and wasteful approach." (June 8th, 1984)

2. Braen, André, Health Care in New Brunswick, 1981, p. 60-61.

It is essential to plan the linguistic aspect of the delivery of health care services in order to avoid an imbalance in their distribution between the two official linguistic communities bearing in mind the cost and waste factors identified by Senator Robertson above.

The brief of the New Brunswick Hospitals Association considered that the law governing public hospitals supported the principle of local autonomy:

1. Braen, André, Health Care in New Brunswick, 1981, p. 60-61.

"In our view, it is up to each board of directors to decide in which language the institution will offer services to the local population."

Where a hospital offers tertiary services not available in any hospital using the other official language then since the service is being offered to the whole population by that single institution,as is the case of the Saint John Regional Hospital, it is inappropriate for a local board to make a linguistic decision as to the language of service when patients are to be served who come from all over the province. On the other hand it is quite unrealistic to require that all hospitals in the province employ only functionally bilingual staff.

RECOMMENDATION 85

It is recommended that the government provide both official linguistic communities with the health care facilities they require in accord with the spirit of the principles and objectives of this Report.

RECOMMENDATION 86

It is recommended that the range of services available in one or the other of the two official languages should reflect the linguistic makeup of the immediate region to be served. Those services offered to a greater geographic area should reflect the linguistic makeup of that particular area. The composition and working language of the boards of directors of the hospitals should take into consideration the principles and objectives enumerated above.

RECOMMENDATION 87

It is recommended that:

1) the Saint John Regional Hospital be recognized as the provincial health referral centre primarily for the English-speaking community;

2) the existing infrastructure and the medical personnel of the Dr. Georges L. Dumont Hospital in Moncton be developed as the provincial referral centre primarily for the French-speaking community;

3) these two centres plan to implement the specialized care necessary for their respective constituencies in collaboration with the hospital network in their respective linguistic community and based upon the demand for their services.

RECOMMENDATION 88

It is recommended that in near homogeneous regions, the health care institutions ensure there is bilingual personnel available to deal with emergencies involving members of the other language community. In view of the linguistic makeup of Saint John and Fredericton the hospitals in both cities should maintain at all times emergency services available in both official languages.*

* In Saint John, this refers to the Saint John Regional Hospital, St. Joseph's Hospital and Centracare.

RECOMMENDATION 89

It is recommended that in bilingual areas such as Campbellton, Bathurst and Northumberland health care institutions provide the two linguistic groups with health services of equal quality.

RECOMMENDATION 90

It is recommended, for the services not available in the province, that patients of both official language groups be referred to hospitals outside of the province which provide services in the language of the patient and that interprovincial agreements be concluded by the province for this purpose.

RECOMMENDATION 91

It is recommended that a long-term plan for the delivery of health care services province-wide be developed taking into account the linguistic component of health care needs.

D. Professional Organizations

The meaning of "professional corporations" or "organizations" caused some confusion amongst the presenters particularly since the terms are used interchangeably. The essential characteristic of such bodies is their freedom to govern themselves. They enjoy the statutory authority to license, govern and control the persons engaged in a particular profession. While the numbers of professional associations have grown in recent years the original group included the independent practitioners of architecture, law and medicine.

These organizations are different from groups such as the teachers' or nurses' associations who organize principally to negotiate terms and conditions of employment and who not enjoy the wide range of self-regulatory powers granted to the professional associations mentioned earlier.

The professional associations or corporations, have members from both linguistic communities and offer their services to persons from both linguistic communities. Generally, the Committee believes that these bodies must serve their members and the general public in the language of choice of the members and the public.

During the hearing phase the professional associations, for the most part, indicated that they had already, or were in the process, of implementing the recommendations made in their regard by the Report of the Task Force, nevertheless they registered their objections to any law governing the operations of the professional associations.

RECOMMENDATION 92

It is recommended that:

1) the terms "professional association" and "professional corporation" and their legal meanings be clarified;

2) the government, develop guidelines and a timetable in consultation with the professional associations to ensure service to members and to the public in both official languages; such a plan should take account of the operations of regional branches or chapters of those professional associations.

E. Public Utilities, Crown Corporations and Government Agencies

1. Definitions

a) Public Utilities

These firms, as defined by section 1 of the Public Utilities Act, can either be privately owned such as NBTel or of a public nature such as the Electric Power Commission of the city of Saint John.

b) Crown Corporations

These are service agencies created and financed by government to which they are responsible. This group includes the New Brunswick Electric Power Commission, the New Brunswick Liquor Commission, the New Brunswick Housing Corporation, New Brunswick Coal Limited and the Provincial Holding Company.

c) Government Agencies

These are service agencies created by government but whose internal structure and organization permits a degree of autonomy albeit responsible to some Cabinet Minister through whose office they are accountable to the Legislature. Some of these include: the Workers' Compensation Board, the Public Utilities Board, the New Brunswick Police Commission, the Community Improvement Corporation and the Motor Carrier Board.

2. The Linguistic Responsibilities of Public Sector Organizations

a) Public Utilities

Present provincial laws applicable to these organizations does not determine their linguistic duties to the public and the Official Languages of New Brunswick Act is silent in their regard.

b) Crown Corporations and Government Agencies

The linguistic responsibilities of these organizations are determined by sections 8 and 10 of the Official Languages Act (1969).

3. The Importance of these Organizations

These organizations play an important role in the socioeconomic development of the regions and of the province. The very nature of their operations requires them to be in everyday contact with virtually all of the people of the province and their services are deemed to be essential.

RECOMMENDATION 93

It is recommended that the utilities, including privately-owned public utilities, crown corporations and government agencies adopt a bilingual designation, provide services in both official languages, in an effective manner[1], publish simultaneously their regulations, notices and all communications in both official languages so as to meet the linguistic needs of all persons to be served.

RECOMMENDATION 94

It is recommended that the crown corporations and government agencies be required to meet the same linguistic responsibilities as the departments in relation to language of service, language of work, equitable representation and regional identity.

F. The Private Sector

One very important segment of the economic life of a democratic society is its private business sector. And while it is vital that government do its utmost to encourage a free and aggressively productive private sector, at the same time adequate protection must be given to the public in its dealings with the private sector.

The field of language rights in the private sector has two facets:

1. there is the right of business to operate in a business-like manner so to facilitate growth and expansion, and
2. there is the right of the customer to be served fairly and to receive fair treatment in exchange for his or her business.

Further the private sector comprises two parts:

1. there is the internal - encompassing operations that are self-contained and which involve litte contact with the public, and
2. there is the external - comprising operations involving principally the public at large.

The analysis of the private sector will follow the divisions given above.

1. Internal Operations

The internal operations of a private company, bearing in mind the labour relations systems and the municipal, provincial and federal laws pertinent to the particular business, remain very much within the control of the company and its officers.

Because of the fundamental importance of safety warnings and instructions, the private sector is asked to comply with the policies envisaged in recommendation 61.

2. External operations

The external operations of a company are those which involve services to the public and so depend upon verbal, written and visual contact with the customer.

RECOMMENDATION 95

It is recommended that all consumer contracts containing conditions, warranties or disclaimer used in any contract be provided in either official language so as to meet the needs of the particular customer. It is further recommended that such documents contain a mandatory clause whereby the customer acknowledges in writing that the document is written in the official language comprehensible to him.

It is reasonable to conclude that most businesses tend to supply a service where there is sufficient demand, so that with regard to language of service it is believed that no linguistic requirements shall be legislated. However:

RECOMMENDATION 96

It is recommended that private companies supplying services to government must be able to meet the linguistic needs of the citizens whom they serve on behalf of government, as specified by the particular service contract.

RECOMMENDATION 97

It is recommended that contracts and agreements between the private sector and labour organizations be available in both official lan-

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1. See Glossary.

guages when negotiated as part of the collective agreement. Similarly, unions should be required to provide all services in both official languages where this is requested by a reasonable number of members.

RECOMMENDATION 98

It is also recommended that the grievance procedures be conducted in the language of the collective agreement; where the agreement is bilingual then the language chosen by the griever should determine the language of the grievance with the provision of translation where required, costs of which should be borne equally between the parties.

G. Federated Groups and Associations

In addition to the professional associations and corporations dealt with earlier, other groups were represented in the hearing phase to speak of their experience of and recommendations with regard to the question of language. These groups are listed in appendix VII.

It is possible to segregate several different types of groups and their varying organizational structures. For example, some are associations of professionals others are not: thus the New Brunswick Teachers Association is a professional organization while the New Brunswick Womens' Institute is a social organization with a service emphasis.

These associations are sometimes homogeneous in terms of language while others draw their members from both communities such as the New Brunswick Hospitals Association. Some of the organizations operate as federations, while others do not. For example the English and French teachers groups are federated but their two units operate as homogeneous, linguistic units. Other examples of federations, such as that of the Imperial Order Daughters of the Empire consist only of members of one linguistic community. The New Brunswick Federation of Labour is bilingual but the individual unions are made up of workers from both linguistic communities as the makeup of the individual union is determined by the trades or callings of its members. It is unusual for a trade or profession to relate to only one linguistic community. Others operate in a confederated manner although they are not formally described as such. Thus the New Brunswick Federation of Home and School Associations is in fact made up of two, one English-speaking and French-speaking, homogeneous federations comprising associations of one or other of the two official languages.

These associations or federations can be distinguished according to their purpose and function: some provide essential services to their members, for example the negotiation of collective agreements and representation of their membership - as does the New Brunswick Nurses Union. The others pursue more social objectives and are not involved in professional matters mentioned above - for example, the Imperial Order of the Daughters of the Empire.

As is obvious, from a linguistic perspective these associations and federations can take a variety of forms and any language policy must accommodate their differing purposes, structures and modes of operation.

The majority of briefs from these groups were directed to the major recommendations of the Report of the Task Force "Toward Equality of the Two Official Languages" rather than to their own situation since the Report did not direct its recommendations to them.

Nevertheless the Committee perceived differences in the presentations of the groups depending upon whether they were unilingual or bilingual. Thus homogeneous groups felt they could effectively represent the interests of their group and were open to co-operation with their counterparts in the other linguistic community. When the group is organized as a bilingual organization it was felt that it tended to emphasize the views of the English-speaking majority so that the interests of the French-speaking minority were often neglected. This was the stated experience of the French-speaking farmers and producers with regard to their relationship with the New Brunswick Farmers Association.

When members of the Committee asked questions of the presenters speaking for the bilingual organizations the individuals preferred not to attempt to give a response because of lack of consensus or chose to reply only in a personal capacity. This can be interpreted as evidence that the language question remains unanswered for several groups.

In accord with the spirit of Bill 88 which established that both linguistic communities should enjoy their distinctive cultural, social and educational institutions.

RECOMMENDATION 99

It is recommended that the government encourage and assist groups who wish to set up federations with two homogeneous linguistic structures in order to realize the equality of the two official communities.

When a federated group, association or organization representing members of both communities presently offering or planning to offer services approaches government for financial assistance then:

RECOMMENDATION 100

It is recommended that the principles and objectives of language of service, equitable representation and language of work be included in the criteria for assessment of grant applications for federated groups, organizations or bodies representing both linguistic groups.

RECOMMENDATION 101

It is recommended that the language of service in relations between the government and the federated groups, organizations or associations be determined by the linguistic designation of the organization, be it English, French or bilingual.

FINAL OBSERVATIONS

The preceding recommendations derive from the consensus reached by the full Committee. These have been adopted unanimously after discussions, exchanges of different views and the reaching of compromises acceptable to all. The Committee hopes that the people of our province on their part will make the same effort at conciliation.

In two instances where a concensus or compromise could not be reached, the English-speaking and the French-speaking members of the Committee have each presented their opinions on the issues rather than formulate and make recommendations.

At the outset, the Committee wondered as to the participation of the people in the process but quickly realized the great interest which existed throughout the province on the question of language. Many of the presentations supported practical approaches requiring compromises on the linguistic issues in order to promote social justice and linguistic opportunities for the two language groups. Without the involvement of the people, the work of the Committee would not have been possible and so the participants must be thanked for their efforts. The Government advised the Committee that it intended to make public this Report and the Committee hopes that the recommendations, which represent a compromise attainable in terms of the differences expressed on the question of languages, will over time give to the members of each linguistic community an opportunity to share in the growth and development of our province.

The English and French versions of the Report have equal authority and are independent texts containing ideas intended to be identical.

The work of the Committee has to be seen as a proposal to Government for implementing a language policy, which in the opinion of the Committee will allow the two linguistic groups to work in harmony in building a better province.

APPENDICES

APPENDIX 1

LIST OF BRIEFS PRESENTED TO AND RECEIVED BY THE ADVISORY COMMITTEE ON OFFICIAL LANGUAGES

Explanation

1. The briefs presented were read during the public hearings: the non-presented briefs were received by the Committee but not read in public.

2. Code: the letters beside the number assigned to each brief signify the language of the brief:

   E : English-speaking

   F : French-speaking

   B : Bilingual

3. The briefs were organized according to the locale of their presentation and the chronological order of the hearings.

FREDERICTON

Briefs presented

School District 26	001E
Association des conseillers scolaires francophones du Nouveau-Brunswick	002F
University of New Brunswick	003E
Cercle 51 de l'Association des enseignants francophones du Nouveau-Brunswick	004F
Association des enseignants francophones du Nouveau-Brunswick	005F
Harold Phalen	006E
Cameron N. King	007E
Provincial Loyal Orange Association of New Brunswick	008E
Cynthia Urquhart	009E
Conseil scolaire 51	010F
Gerry Hill	011E
Société des Acadiens du Nouveau-Brunswick	012F
François Volpé	013F
New Brunswick Nurses' Union / Syndicat des Infirmières du Nouveau-Brunswick	014B
S.B. Benton	015E
Club Richelieu de Fredericton	016F
Imperial Order of the Daughters of the Empire	017E
Société des Acadiens du Nouveau-Brunswick, Fredericton	018F
City of Fredericton	019E
Town of Oromocto	020E
New Brunswick Association of English-Speaking Canadians (Chaley)	021E
William Taylor	022E
D.G.O. Kinston	023E
Dr. Everett Chalmers Hospital	024E
Keswick Ridge Women's Institute	025E
New Brunswick Hospital Association Association des hôpitaux du Nouveau-Brunswick	026B
D. & P. Ruthven	027E
Lloyd Nickerson	028E
Phillip Foreman	029E
Harold Wilkins	030E
Cercle français de Fredericton	031F
Ronald L. Steeves	032E
Lucide Rioux	033E
Doreen Fraser	034E
Keith D. Phinney	035E
Fredericton Chamber of Commerce	036E
Glenna M. Fraser	037E

Letters received, not presented

Norma McAllister	038E
Gary Toft	039E
Mrs. Corinne Calabrese	040E
Andrew Rowe	041E
Marion Davis	042E
Shirley and Donald McGee	043E
Gertrude Smith et al	044E
William K. Allan	045E
Leo Boucher	046E
W.D. Cumberland	047E
Evelyn Powell	048E
Emma Hawkes	049E
Richard Allen	050E

Village of Harvey 051E
Addison Cunningham 052E
New Brunswick Association of English-Speaking Canadians (Len Poore) 053E
Lydia & Raymond Scott 054E
Johnny Canuck 055E
New Brunswick Association of Optometrists Association des optométristes du Nouveau-Brunswick 056B
Ottis I. Logue 057E
Pauline S. Allen 058E
Bert Bates 059E
Nancy Pelletier 060F
Georges Daigle 061F
Maj. B.G. Bogisch 062E
Glenys Early 063E
Gary Hetherington 064E
Paroisse Ste-Anne des Pays-Bas 065F
Carmen Albert 066B
Greg Hargrove 067E

EDMUNDSTON

Briefs presented

Association du Barreau du Madawaska 100F
Maurice F. Bourque 101F
Association sportive du Nord-Ouest du Nouveau-Brunswick 102F
Centre universitaire Saint-Louis-Maillet (Arts et Lettres) 103F
Association des professeurs et des bibliothécaires du Centre universitaire Saint-Louis-Maillet 104F
City of Edmundston / Ville d'Edmundston 108B
Cercle 33 de l'Association des enseignants francophones du Nouveau-Brunswick 109F
Jean-Paul L'Italien 110F
Association des accidentés de travail du Nord-Ouest 111F
Conseil du travail, District d'Edmundston 112F
Associations Progressistes-Conservatrices du Comté de Madawaska 113F
Société Louis-Napoléon-Dugal 114F
Comité pour un institut francophone de formation agricole 115F
Fédération des associations foyer-école du Nouveau-Brunswick 116F
Association générale des étudiants, Centre Universitaire Saint-Louis-Maillet 117F
Chambre de commerce de Saint-François 118F

Letters received, not presented

Village de Baker Brook 108F
Village de Verret 108F
Village de Lac-Baker 108F
Village of St-François 118F
Institut féminin 118F
Michel Lévesque 120F
Lona M. Fraser 121E
J.E. Thomas Shaw 123B
Susan Brebner et al 124E

GRAND FALLS / GRAND-SAULT

Briefs presented

John Vallillée 151F
Philip Grondin 152E
Jean-Paul LaForge 153F
Lois Jensen 154E
Comité des parents de Notre-Dame-de-Lourdes 155F
Nelson G. Lynch 156F
Conseil scolaire 32 157F
Donald Fraser Memorial School 158E
District 31 Education Committee 159E
Association des directions d'école du Conseil scolaire 32 160F
Claude Michaud 161F
Board of School Trustees 50 162E
Association of Parents for Fairness in Education - Grand Falls District 50 Branch 163E
Société de la Grande-Rivière (Société des Acadiens du Nouveau-Brunswick) 164F
Cercle 32 de l'Association des enseignants francophones du Nouveau-Brunswick 165F
Patricia Cyr 166F
Gérald Clavette 167F
Robert Thériault 168F

Letters received, not presented

None

WOODSTOCK

Briefs presented

Town of Woodstock 201E
Village of Perth-Andover 202E
Town of Nackawic 203E
McCain Foods Ltd. 204E
Upper Saint John River Valley Chapter of English-speaking Canadians 205E

York-North Progressive Conservative Association 206E

Letters received, not presented

Pauline Christie et al 207E
R.E. Leonard 208E
Géraldine Reilly 209E
Walter McKell 210E
L. Smith 211E
Marie Burhoe 212E
Comité de Parents, région Perth-Andover 213F
Pearl McNair 214E
Carleton Memorial Hospital 215E

SAINT JOHN

Briefs presented

Saint John Board of Trade 251E
Nancy Clark Teed, Member of the Legislative Assembly, Saint John South 252E
NBTel 253E
Saint John Construction Association 254E
Canadian Parents for French 255E
Francis L.G. Brown 256E
Gary Tiner 257E
Mary T. Lydon & Kathleen M. Northrup 258E
School District 20 259E
John Arbow 260E
Dr. Sarath Punna 261E
United Empire Loyalist Association 262E
Loyal Orange Lodge 263E
Rev. Mr. E. Lloyd Lake 264E
Conseil de Saint-Jean de la Société des Acadiens du Nouveau-Brunswick 267F
Conseil scolaire 52 268F
Cercles 19, 20 & 52 de l'Association des enseignants francophones du Nouveau-Brunswick 269F
City of Saint John 270E
Village of St. Martins 271E
Blaine M. Higgs 272E
Dr. George Bate 273E
Saint John Firefighters 274E
Elouise Caulfield 275E
George F. Teed 276E
Dorothy W. Brown 277E
David S. McCurdy 278E
Elaine Moyer 279E
Malcolm Vail 280E
Monica Mooney 281E
Judith MacPherson 282E
T.A. Robson 283E
Jim Gilliland 284E
Saint John Labour Council 285E
Michael Wilson 286E
George Avery 287E
Dolores Cook 289E
Usha Tewari 290E
School Districts 18 & 19 291E

Letters received, not presented

Carolyn Stewart 288E
Saint John Regional Hospital 292E
Mary Ryan 293E
Florence Graham 294E
Betty Hoyt 295E
Maria Calero 296E
Oak Point Baptist Women's Mission 297E
Byron A. Walton 298E
L.M. Hachette 299E
Alton Dingee 300E
Nellie McLeod 301E
Greenwich L.O.B.A. 1023 303E
William Craig 304E
D.H. Jory 305E
H.J. Stears 306E
H.P. Brooks 307E
Mrs C.A. Waugh 308E
Occupants 309E
Patricia Blanchet 310E
Albert Comeau 311F
H.R.S. Ellis 312E
Jerome Murphy 313E
J.C. Prince 314E
E.D. McKim 315E
Darrell Clark 316E
Patrick Williams 317E
Jean Kimball 318E
Barry Morton 319E
Duncan Davidson 320E
United Church of Canada Saint John Presbytery 321E
Helen M. Beyea 322E
Sheila M. Talbot 323E
Ethel I. Brigden 324E

Muriel W. Olsen 325E

Provincial Grand Orange Lodge - New Brunswick 326E

New Brunswick Institute of Chartered Accountants 327E

College of Physicians and Surgeons of New Brunswick 328E

Rodolphe Thériault 329F

Anne Chisholm 330E

E. Drewery 331B

Société française de la Bienheureuse Vierge Marie 332F

Paroisse St-François-de-Sales 333F

Ronald Dearman 335E

ST. ANDREWS

Briefs presented

St.Andrews-by-the-Sea 351E

Town of St. Stephen 352E

Village of McAdam 353E

Charlotte County Hospital 355E

St. Andrews Chamber of Commerce Inc. 356E

St. Stephen-Milltown Chamber of Commerce 357E

Town of St. George 358E

Brian F. Tatton 359E

Don Olmstead 360E

H.A. Dewolfe 361E

Charlotte West Liberal Association 362E

St. Stephen Presbytery of the United Church 363E

J.C. Dunfield 364E

Frances A. Moffatt 365E

A. Laurence Young 366E

Canadian Union of Public Employees, Local 1253 367E

Judith M. Wilson 368E

New Brunswick Firearms Association 369E

Letters received, not presented

Village of Blacks Harbour 354E

Hilda Parks 370E

Former Tory 371E

Melvin Turner 372E

Ina Moffatt 373E

Heather Lesley 374E

Thelma Lowe 375E

SUSSEX

Briefs presented

Town of Sussex 401E

Hazen Myers, Member of the Legislative Assembly 402E

School District 18 403E

New Brunswick Nurses Association - Saint John Chapter 404E

J. Allison Elliot 405E

Lorne Matheson 406E

Ben MacCauley 407E

Kingston Poll Committee 408E

Association of Villages of Kings & Queens 409E

Frank Wuhr 410E

Village of Norton 411E

NB Association of English-Speaking Canadians, Sussex Chapter 412E

Sussex and District Chamber of Commerce 413E

Wilson Gilmore 414E

Canada Party 415E

Eldon Buchanan 416E

Peter Powning 417E

Letters received, not presented

F.E. Keirstead 419E

Lyn Cunningham 420E

Lloyd Secord 421E

Lloyd Elliott 422E

Florence Elliott 423E

Allison Carlisle 424E

CAMPBELLTON

Briefs presented

City of Campbellton / Cité de Campbellton 451B

Cercle des Dames d'Acadie de Dalhousie 452F

Hôpital régional Campbellton Regional Hospital 453B

Dames d'Acadie de Campbellton 454F

Emery LeBlanc 455F

Cercle 37 de l'Association des enseignants francophones du Nouveau-Brunswick 456F

Fédération des Dames d'Acadie 457F

School District 38 458E

Denis LeBlanc 459F

School District 36 460E

Association des accidentés de Restigouche 461F

Société culturelle de la baie des Chaleurs	462F
Conseil scolaire 35	463F
Conseil scolaire 37	464F
Filles de Marie de l'Assomption	465F
Municipalité de Kedgwick	466F, Video
Conseil J-Arthur Melanson de la Société des Acadiens du Nouveau-Brunswick	467F, Video
Société des Acadiens du Nouveau-Brunswick, Petite Rochelle	468F, Video
Société culturelle de Restigouche-ouest	469F, Video
Paul Hayes	470E
David Sivret	471E

Letters received, not presented

H.M. McLaughlin	472E
Marion Allen	473E
J.F. MacMillan	474E
R.L. Court	475E
The Business and Professional Women's Club	476E
Margot Hamilton	477E
Eileen Garrels	478E
Jeux de l'Acadie - Comté Restigouche	479F
Claudette Essiembre	480F
Janine Renault	481F

BATHURST

Briefs presented

Fédération des agriculteurs du Nouveau-Brunswick	501F
Commission scolaire Jérôme Boudreau, (41)	502F
Board of School Trustees 42	503E
Guy Clavette	504F
City of Bathurst / Ville de Bathurst	505B
Société des Jeux d'Acadie	506F
Ville de Beresford	507F
Village de Petit-Rocher	508F
Gilles Halley	509F
Paul Duval	510E
Dames d'Acadie de Bathurst Inc.	511F

Letters received, not presented

Gregory Riordan	512E
Glenn Martinello	514E
Pierre Godin	515F
Gaston Doiron	516F

CHATHAM

Briefs presented

Town of Chatham	551E
Town of Newcastle	552E
Dan LaBerge	553E
New Brunswick Library Trustees' Association Association des Commissaires de bibliothèques du Nouveau-Brunswick	554B
Cercle français de la Miramichi Inc.	555F
Conseil scolaire 53	556F
Cercle 53 de l'Association des enseignants francophones du Nouveau-Brunswick	557F
Village of Nelson-Miramichi	558E
Donald Leslie	559E
School District 8	560E
Conseil conjoint des communautés francophones de Northumberland	561F
Jocelyn Durelle	562F
Giselle Kerr	563F
School District 10	564E
New Brunswick Association of English-Speaking Canadians - Miramichi Chapter	565E
A.J. LaBerge	566E

Letters received, not presented

Bill Taylor	568E
L & K Saunders	569E
Laura Craik	570E
Anna McKenzie	571E
Miramichi Board of Trade	572E
J & B Doyle	573E
James Johnstone	574E
Harry Stephens	575E
Anna Allen	576E
Gerald Stewart	577E
William Farrah	578E
Norman Brown	579E
Ronald Forrest	580E
Donald Archibald	581E
Leah McKenzie	582E

SHIPPAGAN

Briefs presented

Ville de Shippagan	601F
L'honorable Jean Gauvin, député	602F
Association des professeurs du Centre universitaire de Shippagan	603F

Association des enseignants francophones du Nouveau-Brunswick, Conseil scolaire 5 604F

Union acadienne pour la culture populaire Inc. 605F

Club Richelieu de Caraquet 606F

Cercle des Dames d'Acadie de Shippagan 607F

Hôpital L'Enfant Jésus Inc. 608F

Club de l'âge d'or de Shippagan 610F

Mouvement coopératif acadien 611F

Ville de Tracadie 612F

Cercle des Dames d'Acadie de Lamèque 613F

Ville de Caraquet 614F

Louise Blanchard 615F

Chambre de commerce de Caraquet 616F

Conseil régional de la Société des Acadiens de Caraquet 617F

Cercle des Dames d'Acadie de Tracadie 618F

Conseil régional "François-de-Bellefeuille" Société des Acadiens du Nouveau-Brunswick, Tracadie 619F

Linda Haché 620F

Association des pêcheurs professionnels acadiens 621F

Jean Hébert 622F

Village de Bas-Caraquet 623F

Pierre Arsenault & Hilarion Melanson 624F

Coopérative de logement et production culturelle Ltée 625F

Louis B. Godin 626F

Arthur-William Landry 627F

Ville de Lamèque 628F

Alyre A. Morais 629F

Cercle des Dames d'Acadie de Caraquet 630F

Chapitre des infirmiers et infirmières de la Péninsule acadienne 631F

Association des enseignants francophones du Nouveau-Brunswick, District 6 632F

Société dentaire de la Côte Nord 633F

Le Voilier/Le Point et Week-End 634F

Village de Sheila 635F

Cercle 7, Association des enseignants francophones du Nouveau-Brunswick 636F

Association Progressiste-Conservatrice de la circonscription de Caraquet 637F

Letters received, not presented

Philippe Comeau 640F

Village de Bertrand 641F

Cercle des Dames d'Acadie de Paquetville 642F

Dames d'Acadie de Bertrand 643F

Yvonne Breault 644F

Linda Doiron 645F

Gilbert Blanchard 646F

BOUCTOUCHE

Briefs presented

Village de Bouctouche 701F

Classe de Droit 12-2 de l'École polyvalente Clément-Cormier 702F

Village de Cap-Pelé 703F

Alonzo LeBlanc 704F

Cercle 12 de l'Association des enseignants francophones du Nouveau-Brunswick 705F

Conseil scolaire 39 706F

Conseil scolaire 13 707F

Me Bernard Richard 708F

Fernand Arsenault 709F

Cercle 13M de l'Association des enseignants francophones du Nouveau-Brunswick 710F

Conseil scolaire 12 711F

Société nationale des Acadiens 712F

Société Acadie en Forme 713F

Henri-Eugène Duguay 714F

Town of Shédiac / Ville de Shédiac 715B

Cercle 39 de l'Association des enseignants francophones du Nouveau-Brunswick 716F

Letters received, not presented

Commission d'Aménagement Beaubassin 721F

Ruth Murray 722E

A. Girouard 723F

Dr. Robert Marcoux 724F

MONCTON

Letters received, not presented

Village de Saint-Joseph Inc. 122F

Camille Richard 742E

Beaverbrook Home and School Assoc. 743E

Mrs. Gordon Crandall et al 745E

E.A. Corey et al 746E

Town of Riverview 747E

Brian Harvey 748E

Gilbert Finn, Recteur, Université de Moncton 749F

Catherine Philipponneau 750F

Association des écrivains acadiens 751F

Greg Allain et Philippe Doucet 752F

Hôpital Docteur Georges L. Dumont 753F

Truong Vo-Van & Ronald LeVasseur	754F
Gérald R. J. Bourque	755F
Merville Gagnon	756F
Géraldine Cormier	757F
The Moncton Council of Women	758E
Fern Hutt	759E
Earl J. Bowser	760E
Maritime Conference United Church of Canada	761E
Melville Johnson	762E
Salisbury Home and School	763E
David McQuinn	764E
Kathleen Beaton	765E
Laurie Betts	766E
Paul LeGood	767E
H. Steeves	768E
John Timpson	769E
Kathleen MacKinnon	770E
Malcolm MacBeath	771E
Brenda Ford	772E
Board of School Trustees 17	773E
Reg Bowser	774E
Danny Jonah	775E
New Brunswick Community College	776E
E.E. Fahey	777E
Harvey Lutes	778E
Nettie Leaman	779E
Canadian Labour Congress	780E
J.B. Stewart	781E
Madeline Legere	782E
Jim Nevers	783E
Emery Lewis	784E
Joanne Price	785E
Ernest Stuart	786E
Harold Dick	787E
T. Majensky	788E
R.D.F. Bowes	789E
Gail Van Snick	790E
Lewisville & East Dieppe Progressive Conservative Women's Association	791E
Lois Dunfield	792E
Ralph Bishop	793E
James Henderson	794E
Alvin Fram	795E
Doris Eagles	796E
Russell Eagles	797E
Lloyd Smith	798E
Irvine Wilson	799E
Barry Chapman	800E
Roger Doiron	859F

MONCTON

Briefs presented

City of Moncton / La Cité de Moncton	801B
Maurice A. Léger	802F
Faculté des Arts de l'Université de Moncton	803F
Moncton District Council of Home and School Associations	804E
Assomption Compagnie Mutuelle d'Assurance-vie	805F
Greater Moncton Chamber of Commerce Chambre de commerce du Grand Moncton	806B
Rosella Melanson	807F
Gérard Etienne	808F
Conseil de promotion et de diffusion de la culture	809F
Dames d'Acadie de Moncton	810F
Riverview War Veterans and Ex-Servicemens' Association	811E
Village of Petitcodiac	812E
Maritime Conference English/ French Relations of the United Church of Canada	813E
New Brunswick Women's Institute	814E
Association des diplômés du Département de traduction et des langues de l'Université de Moncton	815F
Egalité	816F
New Brunswick Federation of Labour La Fédération des travailleurs du Nouveau-Brunswick	817B
Town of Sackville	818E
Canadians Parents for French, New Brunswick Branch	819E
Gilles Thériault	820F
Société des Acadiens du Nouveau-Brunswick, Conseil de Petitcodiac	821F
Board of School Trustees 15	822E
Moncton North Progressive Conservative Association	823E
Association of Professional Engineers of New Brunswick Association des ingénieurs professionnels du Nouveau-Brunswick	824B
Conseil de travail de Moncton et Région	826F
Suzanne Poussart	827F
Dr. Susan Purdy	828E
Dr. Eldon Hay	829E

New Brunswick Association of English-Speaking Canadians 830E

Marion V. Corey 831E

Eileen Higgins 832E

New Brunswick Association of English-Speaking Canadians - Shediac Cape Chapter 833E

New Brunswick Teachers' Association 834E

Debbie Bulmer, Sue Bowser, et al 835E

Faculté des Sciences sociales 836F

Nurses Association of New Brunswick / Association des infirmières et infirmiers du Nouveau-Brunswick 837B

Syndicat canadien de la fonction publique, section locale 821 838F

Claire LeBlanc 839F

New Brunswick Chamber of Commerce Chambre de commerce du Nouveau-Brunswick 840B

Léon Thériault 841F

Réjean Picard 842F

Certified General Accountants' Association of New Brunswick / Association des Comptables Généraux Agréés du Nouveau-Brunswick 843B

New Brunswick Federation of Home and School Associations (English Section) 844E

Florence R. Crandall 845E

Néré St-Amand 846F

Conseil de Chevaliers de Colomb du Christ-Roi n° 7952 847F

Dames d'Acadie de Dieppe 848F

Faculté des Sciences de l'éducation 849F

Conseil des médecins et dentistes de l'Hôpital Docteur Georges L. Dumont 850F

S.R. Jones 851E

Margaret LeGood 852E

Centre d'études acadiennes 853F

École de droit, Université de Moncton 854F

Michael Ferguson 855E

Projet Solidarité Internationale - Éducation permanente, Université de Moncton 856F

Activités-Jeunesse 857F

York Sunbury Barristers' Society 858E

Willard Esty 860E

APPENDIX 2

OFFICE OF THE PREMIER
CABINET DU PREMIER MINISTRE

MEMORANDUM

from / de:	Premier Richard Hatfield Le premier ministre	date	September 4 Le 4 septembre	19	85
to / à	All Deputy Heads À tous les sous-chefs	file / dossier:			
copies to / à	Linda Dyer	subject / sujet			

At the request of the Provincial Advisory Committee on Official Languages, I wish to inform you that Baseline Market Research is doing work for the Committee.

Linda Dyer, or her designate, will be calling on you to obtain certain information about the practices and policies with regard to official languages as far as your department, board corporation, or commission is concerned.

I ask for your full cooperation in this project.

À la demande du Comité consultatif provincial sur les langues officielles, je tiens à vous informer que la firme Baseline Market Research travaille actuellement pour le comité.

Mme Linda Dyer, ou une personne désignée pour la remplacer, communiquera avec vous pour obtenir des renseignements sur les usages et les lignes directrices qui ont cours en matière de langues officielles au sein de votre ministère, conseil, société ou commission.

Je vous demande de bien vouloir lui apporter votre entière collaboration dans ses recherches.

Richard Hatfield

Premier Richard Hatfield
Le premier ministre

APPENDIX 3

10 September 1985

Dear Mr.:

As you know, the Advisory Committee on Official Languages is in the final stages of their work and hopes to have a report to the Premier within a few months. However, before their final report can be completed, they have identified certain types of information which they consider to be essential to their work. The Committee has retained BMR to collect some of this information.

The Committee believes that certain information must be gathered about each government department and, as a Deputy Minister, you are best able to provide the over-all perspective which is desired. Also, you are the person who is best able to provide the historical perspective on departmental changes in relation to some of the issues we want to discuss. Each deputy minister will be asked to provide similar information.

Through the process of a personal interview we would like to gather factual material and your professional perspective and opinions on the following general topics:

- language policy development within your department;
- the development of operational guidelines related to languages;
- the positive and negative aspects of efforts to implement the Official Languages act;
- the "linguistic health" of your department and your over all perspective on changes which will be required as a result of the Charter of Rights.

These topics are far-reaching in scope but considered necessary in order to gather your perspective on the overall situation.

We are aware that the success of this search for information rests with the confidence which you have in the interview process. In order to attempt to create an environment for open discussion, certain conditions will exist for the interview period and will limit the use of information collected. All individual discussions will be kept in strict confidence and the report, prepared exclusively for the use of the Advisory Committee, will present views and opinions only in the agregate with no specific reference to any individual, department or division. Basically, these interviews are designed to gain a realistic perspective on the types of situations which may have an impact on government operations.

We will be contacting your office this week to attempt to arrange an interview. We would like to have all interviews completed by September 30 so we hope an appointment can be arranged as soon as possible.

We look forward to meeting with you.

Linda A. Dyer

APPENDIX 4

Mr. Gordon Gregory
DEPUTY MINISTER
Department of Justice
Centennial Building
P. O. Box 6000
Fredericton, N. B.

Mr. Ian MacBain
DEPUTY MINISTER
Department of Finance
Centennial Building
P. O. Box 6000
Fredericton, N. B.

Mr. Ken Scott
DEPUTY MINISTER
Department of Supply & Services
Centennial Building
P. O. Box 6000
Fredericton, N. B.

Mr. William K. Morrissey
DEPUTY MINISTER
Board of Management
Centennial Building
P. O. Box 6000
Fredericton, N. B.

Mr. David Seheult
DEPUTY MINISTER
Department of Transportation
Kings Place
P. O. Box 6000
Fredericton, N. B.

Mr. Rudy Hanusiak
DEPUTY MINISTER
Department of Natural Resources
Centennial Building
P. O. Box 6000
Fredericton, N. B.

Mr. Tim Andrew
DEPUTY MINISTER
Department of Agriculture & Rural Development
Research Station, Lincoln Road
P. O. Box 6000
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Mr. J. E. Bérubé
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Mr. Roger Landry
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Judge G.M.N. Cockburn
CHAIRMAN
Liquor Licencing Board
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Mr. Robert Jones
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New Brunswick Workers' Compensation Board
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Mr. Max C. Lewis
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Mr. Paul Chalifour
ACTING GENERAL MANAGER
King's Landing Corporation
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Mr. Ray Scovil
CHAIRMAN
Farm Produce Marketing Co.
P. O. Box 6000
Fredericton, N. B.

APPENDIX 5

READ TO ALL:

Section 10 of the Official Languages Act specifically stipulates that when requested to do so by any person, every public agency officer or employee of the province, any agency or crown corporation shall provide or make provisions for such persons:

A) to obtain the available services for which the public employee or officer is responsible and

B) to communicate regarding these services in either official language requested.

1. What policies are in effect in your department which demonstrate your efforts to achieve the ability to provide services in either official languages – policies can be defined as broad statements which would indicate the framework within which services are to be delivered?

2. What specific written directives exist to translate the policy into day operating procedures?

3. What are your in-house procedures for policy and procedures review?

4. How do you do to determine the service demands in your department – the linguistic needs of clientele?

5. How do you determine the linguistic criteria for positions to be filled within your department?

6. How do you determine the linguistic criteria for non-direct service or specialists positions – for example, budget analysts, education or whatever?

7. Have you encountered any difficulties in recruting or staffing positions within your department related to the linguistic criteria for a position?

8. Based on your experience, what are the positive and negative aspects of your departments efforts to achieve linguistic equality?

9. What would prevent you from being more aggressive in your efforts to bring about linguistic equality in the civil service?

10. What changes do you see in your department as a result of the entrenchment of language rights in the Charter of Rights?

11. How is your department doing in terms of the delivery of services in both official languages, the language of work and the general shift to a more fully bilingual civil service?

12. Is there anything in particular that you would want the Committee to consider in making recommendations relating to your department ... to the government in general or the province?

APPENDIX 6

OFFICE OF THE PREMIER
CABINET DU PREMIER MINISTRE
68-1008 (03/78)

MEMORANDUM

from/de	Premier Hatfield Le Premier ministre Hatfield	date	May 22 le 22 mai	19 80
to/à	All Deputy Ministers Tous les Sous-ministres	file/dossier		
copies to/à		subject/sujet		

I am advised that a number of provincial documents are being published prior to translation in both official languages.

In keeping with the spirit and intent of the Official Languages Act, I would ask that you ensure that all provincial documents are published in both English and French before they are made available to the public.

On me signale qu'un certain nombre de documents provinciaux sont publiés avant qu'ils ne soient traduits dans les deux langues officielles.

Selon l'esprit et la portée de la Loi sur les langues officielles, je vous demanderais de vous assurer que tous les documents provinciaux soient publiés à la fois en anglais et en français avant d'être offerts au public.

Richard Hatfield

Richard Hatfield

CLERK OF THE EXECUTIVE COUNCIL AND
SECRETARY TO CABINET
GOVERNMENT OF NEW BRUNSWICK

GREFFIER DU CONSEIL EXECUTIF ET
SECRETAIRE DU CABINET
GOUVERNEMENT DU NOUVEAU-BRUNSWICK

March 1981

TO: All Ministers, Deputy Ministers and Heads of Crown Corporations

SUBJECT: Language Use In Internal Communications

The following policy was approved at the meeting of Executive Council held on 12 February 1981:

A. All internal communications of general interest to public servants, or for general circulation within government departments and agencies be issued simultaneously in both official languages.

B. All written communications of general interest of employee-employer relations be in both official languages ... i.e. notices to personnel, general guidelines to civil servants, or any general memorandum addressed to both linguistic groups.

C. The Official Languages Branch be mandated to receive complaints from civil servants and also ensure that this policy is respected by all departments. Also, the Official Languages Branch be mandated to clarify any ambiguities which may arise from this policy.

le 16 mars 1981

A: Tous les ministres, sous-ministres et directeurs des sociétés de la Couronne

OBJET: Communications Internes dans les Deux Langues Officielles

La directive suivante a été approuvée lors d'une réunion du Conseil exécutif tenue le 12 février 1981:

A. Que toutes les communications d'un intérêt général pour les fonctionnaires ou destinées à une diffusion générale au sein des ministères ou organismes gouvernementaux soient émises simultanément dans les deux langues officielles.

B. Que toutes les communications écrites d'un intérêt général concernant les relations employeur-employé soient émises dans les deux langues officielles, à savoir, les avis au personnel, les directives générales aux fonctionnaires, et toute note de service générale adressée aux deux groupes linguistiques.

C. Que la Direction des langues officielles soit mandatée pour recevoir les plaintes de fonctionnaires, pour veiller à ce que cette directive soit respectée par tous les ministères, et pour éclaircir toute ambiguité qui pourrait découler de cette directive.

HARRY A. NASON

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FREDERICTON, N.-B.
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Date:	6 February 1985	Inter - Office Memo Note Interservices		
	Name and Title / Nom et titre	Department and Branch / Ministère et direction	Telephone: / Téléphone:	Reference / Référence
To: A:	LEAN COMMITTEE	BOARD OF MANAGEMENT		
From: De:	W.K. Morrissey	BOARD OF MANAGEMENT	453-2602	
Copies To: Copies à:				
Subject: Objet:	POLICY FOR SECOND LANGUAGE TRAINING			

The following language training policy has been adopted for the Department of the Board of Management.

PART I JOB RELATED LANGUAGE TRAINING:

1. It is the policy of the Department of the Board of Management to offer services, in every functional area for which it is responsible, in both official languages. The desirable capacity of each functional area, in each official language, will be determined by the specific demands of each linguistic community for its services.

2. Where the linguistic capability of a functional unit is inadequate, and where the required capacity cannot reasonably be acquired by other means, the Department will train an appropriate number of employees to meet the demand.

3. Such employees will be selected on the basis of their capability in their speciality as well as their aptitude for and interest in acquiring an ability to work effectively in a second language.

4. The standards established for the intensive training program offered by the Provincial Language Training School will be the minimum acceptable for these purposes.

5. In the context of the foregoing, each Division will review its requirements for language training as part of its annual planning process and submit a training plan, along with any relief staffing implications, as a part of the departmental resource allocation process.

6. The Director of Administration shall be the language training coordinator and shall arrange for appropriate aptitude assessments and for the reservation of places in acceptable training programs.

.../2

7. Where employees have been selected for training of this nature, the Department of the Board of Management will pay all the costs associated with the training program, free the employees time from all other responsibilities and continue to pay the employees salary during their absence for training purposes.

8. In view of the substantial investment required to train an employee to a functional level in a second language, the Department will enforce the Board of Management policy on minimum service requirements and educational expenses. However, continued employment in any Part I organization will be acceptable for discharging the normal two year minimum service requirement.

PART II LANGUAGE TRAINING FOR EMPLOYEE DEVELOPMENT PURPOSES:

The Department recognizes that much of the expressed interest in second language training is based less on immediate job requirements than on the enhanced career prospects available to those employees who are competent in both official languages. Because the Department is committed to the continued development of its human resources, applications for developmental language training will be considered. The criteria for an application receiving favourable consideration will be:

1. The training does not entail an extended absence(s) from an employee's regular duties.

2. The employee has a high aptitude as measured by the Provincial Language Training Centre.

3. Employees are recommended by their Director on the basis that no additional staff will be required to cover off during the employeed absences and arrangements have been made to ensure that Branch work plans will accommodate any temporary absence(s) for the duration of the training program.

4. Any out of pocket costs associated with such training be shared equally by the employee and the sponsoring Branch.

5. Where the proposal requires attendance at courses offered by the Provincial Language Training Centre, the Centre is aware that the training is developmental so that it may better assess the allocation of places to those competing for them.

William K. Morrissey
Secretary, Board of Management

APPENDIX 7

Federated Groups

Activités-Jeunesse

Association des conseillers scolaires francophones du Nouveau-Brunswick

Association des écrivains acadiens

Association des enseignants francophones du Nouveau-Brunswick

New Brunswick Library Trustees Association
Association des commissaires de bibliothèques du Nouveau-Brunswick

New Brunswick Hospital Association
Association des hôpitaux du Nouveau-Brunswick

Nurses Association of New Brunswick
Association des infirmières et infirmiers du Nouveau-Brunswick

Association des pêcheurs professionnels acadiens

Canadian Parents for French, New Brunswick Branch

Conseil de promotion et de diffusion de la culture

Fédération des agriculteurs du Nouveau-Brunswick

Fédération des Dames d'Acadie

New Brunswick Federation of Labour
Fédération des travailleurs du Nouveau-Brunswick

Société des Jeux de l'Acadie

New Brunswick Women's Institute
Institut féminin du Nouveau-Brunswick

New Brunswick Federation of Home and Schools Associations
Fédération des associations foyer-école du Nouveau-Brunswick

New Brunswick Firearms Association

New Brunswick Teachers' Association

Provincial Grand Orange Lodge of Nouveau-Brunswick

Société Acadie en Forme

Société des Acadiens du Nouveau-Brunswick

New Brunswick Nurses' Union
Syndicat des infirmières du Nouveau Brunswick

The Business and Professional Women's Club

New Brunswick Association of English-speaking Canadians

United Empire Loyalist Association